

Washington, Friday, January 1, 1943

Regulations

TITLE 8—ALIENS AND NATIONALITY Chapter II—Office of Alien Property

PART 505—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 13

LICENSING TRANSACTIONS INVOLVING
COPYRIGHTS

§ 505.3 Regulation No. 3 under General Order No. 13. (a) A general license is hereby granted authorizing the following transactions:

(1) The making and filing in the United States Copyright Office of applications for registration or renewal of copyrights in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, and the receipt of registration or renewal certificates granted pursuant to any such applications, Provided:

(i) That the person making or filing such application shall attach to the application a report on Form APC-23,* which is hereby adopted and made a part of this regulation, setting forth the information called for therein; and

(ii) That the making or filing of such application involves no communication, direct or indirect, with an enemy national.

(2) The execution and recording of any instrument recordable in the United States Copyright Office which affects title to or grants any interest in any copyright or renewal thereof, if such instrument constitutes or evidences a transaction made by, or on behalf of, or pursuant to the direction of, or with a designated foreign country or a national thereof, on or since the effective date of Executive Order No. 8389, as amended, Provided:

amended, Provided:

(i) That such instrument be recorded in the United States Copyright Office.

within six months of the execution thereof, or within such further time as may be allowed by the Alien Property Custodian; and

(ii) That the person presenting such instrument for recording shall attach thereto and record therewith a copy of Form APC-22, which is hereby adopted and made a part of this regulation, and shall file therewith a report on Form APC-21, which is hereby adopted and made a part of this regulation, setting forth under oath the information called for therein; and

(iii) That the transaction involves neither trade or communication with an enemy national nor is carried out as the result of such trade or communication; and

(iv) That such instrument may be set aside by the Alien Property Custodian upon notice mailed to the person recording the instrument at the address given on the form filed with the instrument and the interests thereunder so transferred may be vested by the Alien Property Custodian at any time within a period of three years from the date of recording, except that the Alien Property Custodian may in his discretion reduce such period of time with respect to any such instrument after the recording thereof.

(3) The recording in the United States Copyright Office of any instrument recordable therein which was executed prior to the effective date of Executive Order No. 8389, as amended, *Provided*:

(i) That any person presenting such instrument for recording shall file with such instrument a report on Form APC-21, setting forth under oath the information called for therein; and

(ii) That the transaction involves no trade or communication with an enemy national nor is carried out as the result of such trade or communication.

(b) Where applications for copyrights or renewals thereof are made or filed under paragraph (a) (1) of this regulation, such copyrights and renewals will be subject to the power of the Alien Property Custodian to take such action as he dies necessary in the national interest.

Nothing contained in this regulation (Continued on next page)

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Form filed as part of the original document.
Copies may be obtained by addressing the
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shall be deemed to limit the authority of the Alien Property Custodian to direct, manage, supervise, control or vest any copyright or renewal thereof.

(c) This general license does not au-

thorize:

28

(1) Any transactions not specifically enumerated herein, such transactions being permitted only upon specific authorization from the Alien Property Custodian; or

(2) The receipt of any funds or credits with respect to the transactions licensed herein except as such receipt may be permitted by the Treasury Department; or

(3) The payment of any funds or credits to any party to an instrument recorded hereunder with respect to the property affected by such instrument as long as such instrument is subject to being set aside in accordance with the conditions of paragraph (a) (2) (iv) hereof, except into a special account from which withdrawals can be made only upon the approval of the Alien Property Custodian.

(d) Nothing contained in this regulation shall be deemed to limit the authority of the Office of Censorship to cause to be censored in its absolute discretion, any communications by mail, cable, radio, or other means of transmission, passing between the United States and

any foreign country.

(e) The term "designated foreign country" shall mean foreign country designated in section 3 of Executive Order No. 8389, as amended; and the terms "person" and "national" shall have the meanings defined in sections 5C and 5E respectively, of such order, except that any person within the categories of Regulation No. 1 under General Order No. 13 shall not be considered for the purposes of this regulation to be a national of a designated foreign county.

(f) The terms "enemy national" and "trade or communication with an enemy national" shall have the meanings defined in Treasury General Ruling No. 11 under Executive Order No. 8389, as

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(g) The term "interest" with respect to a copyright shall include, but not by way of limitation, ownership, part ownership, or claim of ownership, in whole or in part, of any subsisting copyright or claim of copyright, and any right, license, privilege or property in or to or with respect to such work; and any right, title

or interest in, to or under any contract or other instrument relating to copyright, and any royalty, share of profits, license fees, or other emolument or compensation reserved with respect thereto. Such interest shall also include, but not by way of limitation, any interest as hereinbefore described which is held or claimed as trustee, agent, representative or nominal proprietor.

(40 Stat. 411; 55 Stat. 839; E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on December 30, 1942.

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 42-14177; Filed, December 31, 1942; 10:50 a.m.]

TITLE 14—CIVIL AVIATION

Chapter II-Administrator of Civil Aeronautics, Department of Commerce

| Amendment 22|

PART 601-DESIGNATION OF AIRWAY TRAF-FIG CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND

DESIGNATION OF CERTAIN CONTROL AIRPORTS

DECEMBER 29, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the Regulations of the Administrator of Aeronautics as follows:

By amending § 601.3 so as to include in the proper alphabetical order the following airports as control airports:

City:	Name of airport
Abilene, Texas	Municipal Airport
Big Spring, Texas	Municipal Airport
Tucson, Arizona	Municipal No. 2
Palmdale, California	Municipal Airport
Daggett, California	Municipal Airport
Santa Barbara (Goleta), California.	Municipal Airport

This amendment shall become effective 0001 E. W. T., December 30, 1942.

> C. I. STANTON. Administrator.

[F. R. Doc. 42-14166; Filed, December 30, 1942; 2:29 p. m.]

TITLE 30-MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1749]

PART 322-MINIMUM PRICE SCHEDULE, DISTRICT No. 2

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for a change of shipping points for certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act

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of 1937, having been duly filed with this Division by the above-named party, requesting a change of shipping points for the coals of certain mines in District 2; and

ing of necessity has been made for the granting of temporary relief in the man-It appearing that a reasonable showner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the aboveentitled matter; and

The following action being deemed necessary in order to effectuate the pur-

plement R-II, which supplements are poses of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: betical list of code members) is amended R-I, and Railroad fuel) is amended by adding thereto Sup-Commencing forthwith, § 322.7 (Alphaby adding thereto Supplement 322.9 (Special prices-(c)

nereinafter set forth and hereby made a part hereof. It is further ordered, That pleadings tions to stay, terminate, or modify the in opposition to the original petition in the above-entitled matter and applicatemporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure be-

fore the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 17, 1942. [SEAL]

DAN H. WHEELER,

Nors: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO.

Alphabetical list of code members-Supplement R-I FOR ALL SHIPMENTS EXCEPT TRUCK

Aphabotical listing of code members having milway loading facilities, showing price classification by size group numbers!

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Mine name		st Company, inc. Mutual #8. T. Freepon Dalo Dalo Jay Bee #79. Pittsburgh St Company North Union #2. Pittsburgh
		ompany, inc ompany.
Code member	No.	216 Carbon Gas Cosi Company, inc. Sun L. Freep 287 Daless Parks G Company Dale Tr Freep 372 Johnson, C. W. Jay Bee 779 Pittsbury 463 Marshall Mining Company Ramsey (Skrip) Kittsami 351 North Union Coal Company North Union \$2. Pittsbury

Freight Origin groups, Shipping Points, and Railroads previously assigned Indicates no classification effective for this size group.

Notz: The above prioss are applicable only via the respective Freight Origin Groups, shipping points and Railroads shown for the respective mines.

§ 322.9 Special prices—(c) Railroad fuel—Supplement R-II. In § 322.9 (c) in Minimum Price Schedule No. 1, add in groups shown. Group No. 6, 351, 372; Group No. 9, 158, 219; Group No. 7, 287; Group the mine index numbers No. 15, 463.

[F. R. Doc. 42-14143; Filed, December 30, 1942; 11:18 a. m.]

PART 322-MINIMUM PRICE SCHEDULE, [Docket No. A-1772] DISTRICT NO. 2

conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of Order granting temporary relief and ORDER GRANTING RELIEF, ETC.

price classifications and minimum prices for the coals of certain mines in District No. 2.

The following action being deemed

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this tions and minimum prices for the coals Division by the above-named party, requesting the establishment, both temporary and permanent, of price classificaof certain mines in District No. 2; and

ing of temporary relief in the manner hereinafter set forth; and No petitions of intervention having It appearing that a reasonable showing of necessity has been made for the grant-

been filed with the Division in the above-entitled matter; and

It is ordered, That, pending final disnecessary in order to effectuate the purbetical list of code members) is amended position of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (Alphaby adding thereto Supplement R-I, poses of the Act;

§ 322.9 (Special prices-(c) Railroad plement R-II, and § 322.23 (General

fuel) is amended by adding thereto Sup-

Supplement T, which supplements are hereinafter set forth and hereby made a prices) is amended by adding thereto It is further ordered, That pleadings in opposition to the original petition in part hereof.

filed with the Division within forty-five Governing Practice and Procedure be-fore the Bituminous Coal Division in tions to stay, terminate or modify the temporary rellef herein granted may be pursuant to the Rules and Regulations tion 4 II (d) of the Bituminous Coal Act the above-entitled matter and applica-(45) days from the date of this order, Proceedings Instituted Pursuant to secof 1937.

herein granted shall become final sixty It is jurther ordered, That the relief (60) days from the date of this order, unless it shall otherwise be ordered. Dated: December 17, 1942.

DAN H. WHEELER [SEAL]

Norm: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other previsions contained in Part 322, Minimum O TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. Price Schedule for District No. 2 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 322.7 Alphabetical list of code members-Supplement R-I

Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers

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755	Code member Mine name Seam		1 1 1	As watton).
Sub-	Mine name Seam		S. & H. (D)	A, Marcol.

18 | 550

§ 322.9 Special prices—(c) Railroad fuel—Supplement R-II. In § 322.9 (c) in Minimum Price Schedule, add the mine index numbers in group's shown. Group No. 2, 2606; Group No. 8, 2214; Group No. 21, 1421.

FOR TRUCK SHIPMENTS

§ 322.23 General prices-Supplement T

[Prices in cents per net ton for shipment into all market areas]

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	Monie "%	#	190	125	195	888		195	3	9
	yours	10	200	195	220	정말음		205	286	190
	8/N ,,Z	O)	210	100	225	255		200	213	300
	oulm of	00	240	245	240	888		183	235	220
88	Ees W. x	-	340	245	225	2222		240	230	215
Base sizes	x "[anois	10	280	265	240	222		240	250	235
Bas	ERE SAX 411	10	240	270	350	2222	35	250	280	245
	ramb 5,,	+	260	27.5	270	288		270	2865	250
	ramb 2"	.00	288	300	280	252		280	8	285
P. 1	Lump 4"	64	2865	310	300	222		280	280	275
	Lumpover	+	305	320	310	28.52		300	300	28
	Seam		Pittsburgh	L. Kittsnning	Pittsburgh	U. Freeport Sewickley Freeport		Pittsburgh	Pittsburgh	Redstone
	Mine		Warden Mine slate dump.	Domboff	Sunshine	Wash Run Catherine Long		Atlantic #2	Ferrari	Victory
	oM zebni enil	W	2596	2594	2805	2500 2500 2500 2500		\$	2597	3006
	Oode member index	The same of the sa	ALLEGHENT COUNTY Boes, Edward J	Harper, William K	Ainsley, Jas. & Geo.	Games Ainsley). Basinger, William Curry, Thomas J. Long, John William.	WESTMORELAND	Atlantic Crushed Coke	Company. Latrobe Construction	Co. (B. Fernari). Victory Coal Co. (J. W. O. Pathel).

Omitted on original document.

[F. R. Doc. 42-14142; Filed, December 30, 1942; 11:17 a. m.]

[Dockets Nos. A-1715, A-1721, and A-1724]
PART 327—MINIMUM PRICE SCHEDULE,

DISTRICT NO. 7 ORDER GRANTING BELIEF, ETC.

Order of consolidation and order tionally providing for final relief in the matters of the petitions of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7, for an additional shipping point for the coals of the Little Sewell Mine of the Jones Smokeless Coal Company and for a change in the shipping point for the coals of the Amick Mine of I. R. Thompson in District No. 7.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7, and for an additional shipping point for the coals of the Little Sewell Mine of the Jones Smokeless Coal Company (Wine Index No. 561) in District No. 7, and for a change in the shipping point for the coals of the Amick Mine of I.R. Thompson (Mine Index No. 508) in District No.

It appearing that said petitions should be consolidated; and It further appearing that a reasonable showing of necessity has been made for

the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in any of the above-named matters; and

The above-manner action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-named matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief is granted as follows: Commencing forthwith, § 327.11 (Low volatile coals: Alphabetical list of code members) is amended by adding thereto Supplement R, and § 327.34 (General prices in cents per net ton for shipment into any market area) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part here-of; commencing forthwith, the shipping point, railroad and freight origin group appearing in the aforesaid Supplement R, for the coal produced at the mine designated as Mine Index No. 561 shall be as herein shown instead of the shipping point appearing in aforesaid Supplement R for the coal produced at the mine designated as Mine Index No. 508 shall be shipping point heretofore applicable to this mine; and commencing forthwith, the shipping point heretofore applicable for this mine designated as Mine Index No. 508 shall be as herein shown instead of the shipping point heretofore applicable for this mine.

Indicates no classification effective for this size group. Indicates this size group previously classified.

adelphia, Pennsylvania, a co-partner-

That pleadings in opposition to the original petition in tions to stay, terminate or modify the the above-entitled matter and applicatemporary relief herein granted may be It is further ordered,

filed with the Division within forty-five pursuant to the Rules and Regulations Governing Practice and Procedure be-fore the Bituminous Coal Division in (45) days from the date of this order,

tion 4 II (d) of the Bituminous Coal Act Proceedings Instituted Pursuant to secof 1937.

(60) days from the date of this order, unless it shall otherwise be ordered. Dated: December 11, 1942. DAN H. WHEELER, [SEAL]

relief

That the

ordered,

It is further

herein granted shall become final

TEMPORARY AND CONDITIONALLY PINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto. NOTE:

FOR ALL SHIPMENTS EXCEPT TRUCK

Low volatile coals: Alphabetical list of code members-Supplement R. \$ 327.11

Alphabetical list of code members having railway loading facilities, showing price classifications, by size groups for all uses except as separately shown.]

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d	89	9€€
	2	Q€€
	1	ACC
Freight	group No.	899
Railroad		N. F. & G
Shinoine noint		Impert, W. Va., Rupert, W. Va., Rupert, W. Va.; Rainelle Jet., W. Va.;
Low volatile	seam	Poca, #12 Pire Creek Poca. 6
Sub-	No.	00 mt ms
Mine name		Vers #4 Amick Little Sewell
Code member		208 Vera Poeshontus Cosl Co. Inc., e/o So. Jones Smoketess Cosl Co., Inc., e/o S. E. Jones.
Mine	No.	326 561 561

* Denotes change in railroad Freight Origin Group, and additional shipping point. no longer be applicable. *When shown under a Size Group Number, this symbol indicates roals previously classified in this Size Group.
When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.
Denotes new shipping point and railroad. Shipping point at Rainelle Jet., W. Ya., on the C&O-NYC, shall no longer be applicable.

General prices in cents per net ton for shipment into any market area— Supplement T FOR TRUCK SHIPMENTS \$ 327.34

M. sorocnings	10	E. S.	200
sanineemings "M.	10	210	202
Straight ming	+	SS	23.5
A/M bensened	60	58	300
exis qot "44! top size	ei.	280	270
All lump 54" or larger all car, or larger la	1	330	335
Seam		L. Eagle	Poca. #12.
County		Tazewell	McDowell.
Subdistrict No.		40	60
Mine Index No.		2002	328
Mine		Sesboard	Vers #4
Oode member inder		Carter Coal Company. Mahoney, B. P. (Mahoney Soft Coal Com	Vera Forehontes Cost Co

"When shown under a Size Group Number, this symbol indicates easis previously classified in this Size Group, R. Doc. 42-14141; Filed, December 30, 1942; 11:17 a. m.] H

TITLE 32-NATIONAL DEFENSE

Subchapter B-Director General for Operations Chapter IX-War Production Board PART 1010-SUSPENSION ORDERS (Suspension Order S-190)

Standard Pressed Steel Company is a corporation with a principal place of STANDARD PRESSED STEEL CO.

tary equipment, industrial benches and 6,700 steel shop stools for other than Army, Navy and Maritime Commission business in Jenkintown, Pennsylvania and is engaged in the business of manufacturing various ordnance and miliparts thereof. Subsequent to August 3, 1942, the Company put in process, assembled, and delivered approximately orders, as defined in Conservation Order

hereafter issued, except insofar as the same may be inconsistent with the provisions hereof. The responsible officers of the Company had full knowledge of the provisions of Conservation Order M-126 and

these activities were the result of an unustifiable misinterpretation of Order wilful violation of Conservation Order M-126 which has impeded and hampered

The manufacture, assembly and de-

rial to uses unauthorized by the War Production Board. In view of the fore-

going facts, It is hereby ordered:

the war effort by diverting critical mate-

S-190.

Standard Pressed Steel Company, its successors and assigns, shall not put in process, manufacture or assemble any steel to make industrial work benches, bench legs or parts thereof; and Standard Pressed Steel Company shall not deliver any industrial work benches, bench legs or parts thereof containing

Suspension Order

\$ 1010.190

(a)

iron or

Freight Origin Group 17 shall

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ize group Nos.

ASS

ASS

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not apply to any item manufactured, assembled or delivered on an Army, Navy or Maritime Commission order, as such orders are defined in Conservation Order M-126. (c) The provisions of this order shall liveries of steel shop stools constituted a

January 2, 1943, and shall expire on April 2, 1943, at which time the restrictions contained in this order shall be of (d) This order shall take effect no further effect.

7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.) (P.D. Reg. 1, as amended, 6 F.R. 6630; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125,

Issued this 30th day of December 1942. Director General for Operations. ERNEST KANZLER,

for

thorized by the Director General

Operations,

(**p**) shall

iron or steel except as specifically

R. Doc. 42-14171; Filled, December 30, 1942; PART 1010-SUSPENSION ORDERS 4:40 p. m.] E

Nothing contained in this order

Pressed Steel Company, its successors or assigns, from any restriction, prohibi-tion or provision contained in any order

be deemed to relieve

Standard

or regulation of the Director of Industry Operations or the Director General for Operations, whether now in force or

United Wire Novelty Company, UNITED WIRE NOVELTY CO. Suspension Order S-192]

ship, composed of Isadore Kreiskoff and Fred Kreiskoff, is engaged in the manufacture of steel wire racks and baskets and steel wall brackets of various types. During the period from September 30, 1942 to November 5, 1942, the company put into process and processed iron and steel to make wire racks and baskets or parts thereof, assembled wire racks and baskets or parts thereof containing iron or steel, and delivered such items which it knew, or had reason to know, were fabricated or assembled in violation of the provisions of General Conservation Order M-126. These acts constituted violations of General Conservation Order M-126. During the entire period the company was aware of the restrictions contained in General Conservation Order M-126 and its violations thereof were wilful.

These violations of said order have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing, It is hereby ordered That:

§ 1010.192 Suspension Order No. S-192. (a) Isadore Kreiskoff and Fred Kreiskoff, their successors and assigns, and the partnership known as United Wire Novelty Company, its successors and assigns, shall not use any iron or steel or products made therefrom, now in their possession or hereafter acquired, in the manufacture, assembly or fabrication of any articles whatsoever, except as specifically authorized by the Director

General for Operations.

(b) Deliveries of material to Isadore Kreiskoff and Fred Kreiskoff, their successors and assigns, and the partnership known as United Wire Novelty Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries to Isadore Kreiskoff and Fred Kreiskoff, their successors and assigns, and to the partnership known as United Wire Novelty Company, its successors and assigns, by means of preference rating certificates, preference rating orders, general preference orders and any other order or regulation of the Di-rector of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to Isadore Kreiskoff and Fred Kreiskoff, their successors and assigns, or to the partnership known as United Wire Novelty Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director

General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Isadore Kreiskoff and Fred Kreiskoff or the partnership known as United Wire Novelty Company from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect January 1, 1943, and shall expire April 1, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of December 1942.

ERNEST KANZLER, Director General for Operations.

[F. R. Doc. 42-14172; Filed, December 30, 1942; 4:40 p. m.]

PART 3133-PRINTING AND PUBLISHING [Limitation Order L-240]

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.6 Limitation Order L-240-(a) Definitions. For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of per-

sons, whether incorporated or not.
(2) "Newspaper" shall include any publication usually recognized as a newspaper in the newspaper industry regardless of the frequency of issuance.

(3) "Printing" means the act or process of printing, impressing or otherwise transferring onto print paper any ink, color, pigment, mark, character or delineation.

(4) "Publisher" shall include, but not by way of limitation, any person issuing

a newspaper.

(5) "Print paper" means any grade or quality of paper used in the printing of a newspaper, or used in the printing of material physically incorporated into a

newspaper.

(6) "Net paid circulation" means the sales of a publisher's newspaper or newspapers audited, or otherwise verified, in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(7) "Base period" means the year 1941.

(8) "Director" means the Director General for Operations.

(b) General restrictions. On and after January 1, 1943:

(1) No publisher, or any person for his account, shall purchase, acquire or in any manner accept delivery of print paper except for the printing of the publisher's newspaper or newspapers.

(2) No publisher shall use, or cause to be used for his account, print paper for the printing of any newspaper or newspapers during any calendar quarter in excess of 100% of the amount of print

paper used by him, or for his account, in the printing of the net paid circulation of his said newspaper or newspapers during the corresponding calendar quarter

of the base period.

(3) To compensate for the amount of print paper lost to a publisher in the publication of his newspaper or newspapers in the form of wrappers covering print paper delivered to him by his supplier, and that lost to him through damage in transit and in printing spoilage, the publisher may add to the total quarterly amount of print paper authorized by subparagraphs (1) and (2) of this paragraph, 3% of the total amount of print paper used by him in the printing of the net paid circulation of his said newspaper or newspapers during the corresponding calendar quarter of the base period.

(c) Exceptions. The provisions of paragraph (b) (1) and (2) hereof, are

inapplicable to:

(1) Any publisher who shall use on and after January 1, 1943, 25 tons or less of print paper in any calendar quarter for the printing of any of his newspaper or newspapers. Any such publisher is authorized, in addition, to deduct from the tonnage of print paper used by him in any calendar quarter after January 1, 1943, the amount of print paper represented by copies of his newspaper or newspapers which he shall furnish to the armed services of the United States.

(2) Any newspaper of eight pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39 U.S.C. sec. 229), pertaining to the publications of benevolent, fraternal, tradesunions, professional, literary, historical, and scientific organizations or societies.

(d) Loans of print paper. Any loan of print paper made by a publisher shall be reported by addressing a letter in triplicate to the War Production Board on or before the 30th day following the

date of said loan.

(e) Miscellaneous provisions-(1) Applicability of priorities regulations. order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) Reports. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Director shall

from time to time require.

(3) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records of their inventory, use and sales of print paper, subject to the inspection of the duly authorized representative of the War Production Board.

Any appeal from the (4) Appeals. provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(5) Communications to the War Production Board. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington, D. C. Ref: L-240.

(f) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Ccng., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-14188; Filed, December 31, 1942; 11:48 a. m.]

PART 3133—PRINTING AND PUBLISHING [Limitation Order L-244]

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3133.15 Limitation Order L-244—
(a) Definitions. For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Magazine" means any periodical recognized as a magazine in the magazine industry, regardless of frequency of issue.

(3) "Printing" means the act or process of printing, impressing or otherwise transferring onto print paper any ink, color, pigment, mark, character or delineation.

(4) "Publisher" shall include, but not

(4) "Publisher" shall include, but not by way of limitation, any person issuing one or more magazines.

(5) "Print paper" means any grade or quality of paper used in the printing of a magazine, or used in the printing of material physically incorporated into a magazine.

(6) "Base period" means the year 1942.

(7) "Director" means the Director General for Operations.

(b) General restrictions. On and after January 1, 1943:

(1) No publisher shall use, or cause to be used for his account, print paper for the printing of his magazine or magazines, during any calendar quarter in excess of 22½% of the amount of print paper used by him or for his account, for such purpose, during the base period: Provided, That a publisher may, in any calendar quarter, use up to 15% more than his quarterly quota for such purpose, the excess to be deducted from the quota of the succeeding calendar quarter: And provided further, That a publisher may, in any calendar quarter, use additional print paper for such purpose, equivalent to the less-than-quota usage of any preceding calendar quarters.

(c) Exceptions. The restrictions of paragraph (b) hereof shall not apply to any publisher who shall use, on and after January 1, 1943, 25 tons or less of print paper in any calendar quarter for the printing of his mazagine or magazines.

(d) Miscellaneous provisions—(1) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) Reports. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Director shall from time to time require.

(3) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning their inventory, use and sales of print paper, subject to the inspection of the duly authorized representative of the War Production Board.

(4) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, stating fully the grounds of the appeal.

(5) Communications to the War Production Board. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing & Publishing Division, Washington, D. C. Ref: L-244.

(e) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact-or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day December 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-14194; Filed, December 31, 1942; 11:49 a. m.]

PART 921-ALUMINUM

[Supplementary Order M-1-g as Amended Dec. 31, 1942]

Whereas national defense requirements have created a shortage of aluminum for defense, private account, and export; and

Whereas the restrictions and requirements hereinafter set forth are necessary to conserve the supply and direct the distribution thereof in the interests of national defense;

Now, therefore, it is ordered, That:

§ 921.9 Supplementary Order M-1-g—
(a) Definitions. For the purposes of this order:

(1) "Aluminum" means any material the principal ingredient of which by either weight or volume is metallic aluminum in powder, paste, or other form.

minum in powder, paste, or other form.
(2) "Aluminum pigment" means any aluminum or any material containing aluminum which is manufactured, acquired or disposed of for use, or which is used, in the manufacture of paint or other coating or as a liquid welding compound.

pound.
(3) "Aluminum paint" means any paint in the manufacture of which aluminum pigment is used.

(4) "Paint formulator" means any person engaged in the business of manufacturing paint for sale

facturing paint for sale.

(5) "Jobber" means any person engaged in the business of buying and selling aluminum paint or aluminum pigment, otherwise than in the capacity of retail distributor whose business is confined to over-the-counter transactions with the general public.

(b) Restrictions upon manufacture, use, acquisition, and disposition of aluminum pigment. No aluminum pigment shall be manufactured, used in manufacture, acquired, or disposed of, except as the Director General for Operations may specifically authorize.

(c) Restrictions upon acquisition and disposition of aluminum paint. No aluminum paint shall be manufactured, acquired, or disposed of except as the Director General for Operations may specifically authorize.

(d) Scope of order. The provisions of paragraphs (b) and (c) of this order shall not apply to the sale and purchase of aluminum pigment or aluminum paint in the course of normal over-the-counter retail distribution to the general public, or to the use of aluminum pigment or aluminum paint by the ultimate consumer. Supplementary Order M-1-e shall not apply to the manufacture or use of aluminum pigment.

(e) Application for special authorization. Application for special authorization as required by paragraphs (b) and (c) of this order shall be made on Form PD-312.

(f) Reporting. Each manufacturer of aluminum pigment and each paint formulator and jobber shall, on or before the 15th of April, 1942, and of each succeeding month, report on Form PD-313, his stocks, as of the end of the preceding month, of aluminum pigment and aluminum paint.

(g) Communications. All reports required to be filed hereunder, and all communications shall, unless otherwise directed, be addressed to the War Pro-

duction Board, Ref: M-1-g.

(h) Applicability of Priorities Regulation No. 1. This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision may be inconsistent therewith, in which case the provisions of this

order shall govern.

(i) Violations. Any person who wilfully violates any section of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

This order shall (j) Effective date. take effect on December 31, 1942, and shall continue in existence until revoked by the Director General for Operations,

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942. ERNEST KANZLER, Director General for Operations.

[F. R. Doc. 42-14189; Filed, December 31, 1942; 11:49 a. m.]

PART 922-MAGNESIUM

[General Preference Order M-2-b as Amended Dec. 31, 1942]

Section 922.3 General Preference Order M-2-b is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of magnesium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national

§ 922.3 General Preference Order M-2-b-(a) Definitions. For the purposes of this order:

(1) "Magnesium" means any metal in ingot or other raw form the principal ingredient of which is the element magnesium.

(2) "Magnesium products" means any basic forms, such as, but not limited to, castings, extrusions, sheet, strip, plate, forgings and powder, the principal ingredient of which is magnesium.

(3) "Magnesium scrap" means any scrap material the principal ingredient of which is magnesium, generated in the course of any industrial process, or any discarded magnesium products, which must be remelted to be of value for further use. The term "magnesium scrap" also includes any dross resulting from melting magnesium or magnesium

(4) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(5) "Producer" means any person who makes magnesium, in whole or in part,

from a non-metallic raw material.

(6) "Approved smelter" means the American Magnesium Corporation, Apex Smelting Company, National Smelting Company, Aluminum and Magnesium, Inc. and the Federated Metals Division, American Smelting and Refining Company, and any other person who may

be so designated by the Director.

(7) "Fabricator" means any person, including pattern shops, foundries and powder grinders, who makes magnesium

products.

(8) "Director" means Director Gen-

eral for Operations.

(b) Delivery and use. Except as specifically authorized by the Director pursuant to an allocation on Forms PD-603 and PD-26M (1) no producer, approved smelter or other smelter shall deliver any magnesium or use any magnesium to make magnesium base alloys, and (2) no person shall accept the delivery of any magnesium from a producer, approved smelter or other smelter, and (3) no fabricator shall use magnesium or deliver any magnesium products.

(c) Prohibition of alloying, contamination and debasement. No person shall alloy, contaminate or debase magnesium except as the Director shall spe-

cifically authorize.

(d) Collection, segregation and use of scrap. (1) Except as provided in paragraph (d) (2) below, any person owning or generating any magnesium scrap, shall collect, segregate, place in suitable containers, label, identify and otherwise prepare for reprocessing all such scrap. Such scrap shall be segregated by alloys in accordance with the alloy designations of the American Society for Testing Materials, except that alloys #4 and #17 may be mixed with each other. Commercially pure magnesium and magnesium scrap of each alloy not described by such designations shall be kept segregated. All magnesium scrap shall be kept free of contamination by other metals and materials and otherwise handled in such manner that it will be of acceptable quality for reprocessing.

(2) Any fabricator may use any magnesium scrap generated in his plant in the course of fabrication, but only if such scrap is remelted and refabricated in such plant into products for the production of which such fabricator is currently obtaining deliveries of magnesium in conformity with this order, and if, in estimating, applying for, and ordering such magnesium, such fabricator reduced his requirements by an amount which, under the circumstances, represented a reasonable anticipation of the amount of magnesium scrap which would be recoverable for re-use as above

authorized.

(e) Disposition of all scrap. Except as provided in paragraph (d) above or as the Director may, upon application, specifically authorize or direct, any person, other than a producer or approved smelter, owning any magnesium scrap shall promptly sell all such scrap to a producer or approved smelter and shall not use or dispose of such scrap in any way except by such a sale. Except as specifically authorized by the Director, no producer or approved smelter shall mix two or more alloys during the remelting of scrap.

(f) Tolling prohibited. Except as the Director may specifically authorize pur-suant to an application filed on Form PD-114, no scrap shall be delivered for processing or returned under any toll, repurchase or similar arrangement.

(g) Dead stock. All magnesium which is not being used in, or which is in excess of reasonable needs for, the manufacture of items approved by specific authorization of the Director, shall be promptly disposed of pursuant to Priorities Regulation No. 13.

(h) Request for authorizations and communications. Any person who seeks the specific authorization of the Director to do anything under this order where no form is prescribed for the purpose, may request such authorization by letter in duplicate addressed to the War Production Board, Aluminum and Magnesium Division, Washington, D. C., Reference: M-2-b. All other applications, statements or other communica-tions concerning the subject matter of this order should be addressed in the same manner.

(i) Report of operations. Any producer, smelter or fabricator who, in any calendar month, has had in inventory any magnesium, magnesium product or magnesium scrap, shall, on or before the fifteenth day of the month following each month in which any such material was held, file a report on Form PD-173 or, in the case of a powder grinder, on Form PD-174, or on such other form as may be prescribed for this purpose. Any other person who, in any calendar month has had in inventory a total of 100 pounds or more of magnesium, magnesium products and magnesium scrap shall on or before the fifteenth day of the month following any month in which such material was held, file a report on Form PD-40M or such other form as may be prescribed for this purpose.

(j) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as

amended from time to time.

(k) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942, ERNEST KANZLER,

Director General for Operations. [F. R. Doc. 42-14190; Filed, December 31, 1942; 11:49 a. m.]

PART 962-IRON AND STEEL

[Supplementary Order M-21-b as Amended December 31, 1942]

WAREHOUSES AND DEALERS

§ 962.3 Supplementary Order M-21-b—(a) Definitions. For the purpose of this supplementary order:

of this supplementary order:
(1) "Warehouse" means any person
who receives physical delivery of iron

who receives physical delivery of iron or steel from a producer for sale or resale in the form received; but does not include any structural shape, plate, or sheet fabricator unless his warehouse sales during 1940 represented at least 25 percent of the total tonnage of iron or steel products handled by him during that year.

(2) "Dealer" means any person who receives physical delivery of iron or steel from a warehouse for sale or resale in the form received.

(3) "Delivery" includes deliveries on consignment.

(b) Schedule A products. With respect to the iron or steel products listed in Schedule A hereto:

(1) Quota restrictions. No warehouse shall accept from any person during any calendar quarter deliveries except within the limits of the quota established for such warehouse by the Director General for Operations. Application for such quota shall be made on Form PD-83-a. Such quota shall be computed on the base tonnage herein described. The base tonnage of any Schedule A product classification is the tonnage of such product classification shipped by the warehouse from stock during the first calendar quarter of 1941. Beginning July 1, 1942, the quota of the warehouse in each calendar quarter is the percentage of such base tonnage shown in Columns 2 or 3 of Schedule A. The quota of the warehouse for the second calendar quarter of 1942 is that previously assigned by Amendment No. 3 to Supplementary Order M-21-b. No warehouse which, during 1940, purchased more than 25 percent of its tonnage of any product classification in a grade invoiced as less than prime quality may, during any calendar quarter, purchase prime quality iron or steel products of the same classification from a producer in an amount greater than onefourth of the tonnage of such prime quality material purchased from such

producer during 1940. The base tonnage or the quota may be changed from time to time by the Director General for Operations.

(2) Preference rating. On or before July 1, 1942, the Director General for Operations will issue to each warehouse for which a quota may be established pursuant to paragraph (b) (1), and who has reported monthly on Form PD-83, a certificate assigning a preference rating of A-1-k to deliveries of iron or steel to such Warehouse, within the limits of such quota. On or after July 1, 1942, no person may deliver Schedule A products to any warehouse, and no warehouse may accept such deliveries, unless such warehouse shall have filed with such person a copy of its A-1-k preference rating certificate. Effective May 4, 1942 and prior to July 1, 1942, a preference rating of A-1-k is hereby assigned to deliveries of iron or steel to each warehouse now holding an uncancelled A-9 preference rating certificate. Such preference rating may be changed from time to time by the Director General for Operations.

(3) Reports. Each warehouse unless specifically exempted shall file with the Bureau of the Census, Washington, D. C., on or before the 15th day of each month, a report on Form PD-83 Revised, or in such other form as may from time to time be prescribed by the Director General for Operations.

(4) Supplementary quota. In addition to the quarterly quota provided for in paragraph (b) (1), any warehouse may, subject to the inventory limitations set forth in paragraph (e),

(i) During the calendar quarter ending December 31, 1942, accept deliveries of any steel product classification in an amount which, when added to its total previous receipts of such product classification during 1942, will not exceed the total quota assigned for such product classification for the year 1942.

(ii) During the calendar quarter ending March 31, 1943, accept deliveries of any steel product classification in an amount which, when added to its total previous receipts of such product classification during the period January 1, 1942–March 31, 1943, inclusive, will not exceed the total quota assigned for such product classification for such period.

(c) Schedule B products. With respect to the iron and steel products listed in Schedule B hereto:

(1) Quota restrictions. No producer shall make to a warehouse stock, and no warehouse shall accept from any producer during any calendar quarter, deliveries for stock except within the limits of the quota which such warehouse is entitled to receive from such producer. Such quota shall be computed on the base tonnage herein described. Except for wire and wire products, the base tonnage of all Schedule B product classifica-

tions is the tonnage of such product classification shipped by the producer to the warehouse stock during the corresponding calendar quarter of 1940. The base tonnage for wire and wire products is the tonnage shipped by the producer to the warehouse stock during the corresponding calendar quarter of the period July 1, 1940-June 30, 1941. By written notice delivered to the producer on or before July 1, 1942, for wire and wire products or on or before February 1, 1942 for all other Schedule B products, the warehouse may change the base tonnage of any Schedule B product classification to one-fourth of the annual base tonnage provided for above; but the base tonnage cannot thereafter be changed for any subsequent calendar quarter. The quota which each producer may deliver to each warehouse during the second calendar quarter of 1942 and the proportion thereof to which the rating assigned by paragraph (c) (2) applies are the same as provided by Amendment No. 3 to Supplementary Order M-21-b. The quota which each producer may deliver to each warehouse in each calendar quarter following June 30, 1942, is the percentage of such base tonnage shown in column 4 of Schedule B herein. The base tonnage or the quota may be changed from time to time by the Director General for Operations. Any warehouse whose base tonnage of all Schedule B products with any producer for the calendar year is 120,000 pounds or less may accept its annual quota from such producer at any time during the calendar year, provided that not more than two minimum carloads are accepted in any calendar quarter. After approval by the Iron and Steel Division, War Production Board, on Form PD-83-e, Revised, the base tonnage and quota of a warehouse for any product classification may be transferred from one producer to another.

(2) Preference rating. Effective May 4, 1942, and until July 1, 1942, a preference rating of A-3 is assigned to deliveries of each product classification from any producer to a warehouse up to the percentage of the base tonnage shown in Column 2 of Schedule B appearing in Amendment No. 3 to Supplementary Order M-21-b. On and after July 1, 1942, a preference rating of A-3 is assigned to deliveries of each product classification from any producer to a warehouse up to the percentage of the base tonnage shown in Columns 2 or 3 of Schedule B herein. Shipment of Schedule B products to any warehouse may be increased to the percentage shown in Column 4 of Schedule B only if the warehouse through the use of Form PD-83-g is able to develop ratings higher than A-3 for additional tonnage. Where the amount of all Schedule B products assigned the A-3 rating in any calendar quarter is less than one minimum carload for the haul in question but more than one-half of such minimum carload, such rating may be applied up to one minimum carload.

(3) Reports. Each producer making deliveries of Schedule B products to a warehouse shall file with the Iron and Steel Division, War Production Board, on or before July 15, 1942, and quarterly thereafter, a report on Form PD-83-f Revised, or in such other form as may from time to time be authorized by the Director General for Operations.

(4) Deliveries to warehouses and dealers by persons other than producers. Effective May 4, 1942, a preference rating of A-3 is assigned to deliveries of Schedule B products from persons other than producers and their agents to warehouses and dealers who handled such products in 1940: Provided, however, That a dealer may not use this rating to purchase any Schedule B product from a warehouse stock during a calendar quarter in quantities greater than would be obtained by applying the percentage shown in Column 3 of Schedule B herein to his total purchases of such product from such warehouse stock during the corresponding calendar quarter of the base period established for such product in paragraph (c) (1) above. To apply such rating the warehouse or dealer must endorse on the purchase order or contract a statement in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned hereby certifies to the War Production Board and to the seller that an A-3 rating is assigned to the purchase of the Schedule B products listed hereon pursuant to paragraph (c) (4) of Supplementary Order M-21-b, as amended, with the terms of which I am familiar.

(Name of Warehouse or Dealer)

(Authorized Official)

(d) Limitations on deliveries by warehouses and dealers. (1) Except as here-inafter provided, no warehouse or dealer shall deliver steel or iron products except on an order bearing a preference rating of AA-5 or higher: Provided, however, That:

(i) A warehouse or dealer may deliver steel or iron products on an order certified for essential repair or maintenance purposes and bearing in the case of alloy steel or alloy iron products a preference rating of A-1-k or higher, or in the case of other steel or iron products a preference rating of A-10 or higher; provided that deliveries of the following types of steel or iron products in this manner by any warehouse or dealer during any calendar quarter do not exceed the amounts indicated below:

Stainless steel 3% of quarterly quota

products. for such products.
Tool steel products_ 3% of quarterly quota for such products.

Other alloy steel products. All other steel or iron products.

3% of quarterly quota for such products. Whichever is the great-er of (A) 5% of the quarterly quota for all

such products, or (B) an aggregate of 150 tons of all such products (but not more than the quarterly quota for all such products).

(ii) A warehouse or dealer may deliver flat rolled carbon steel or iron products which were received by him, or which have been accumulated from warehouse shearings, in sizes not greater than those specified below on an order bearing a preference rating of A-1-k or higher:

PLATES

Gauge	Width	Length
36" and lighter Over 36" but under 1"	Under 72" Under 48"	Under 120". Under 120".
SI	HEETS	
Gauge	Width	Length
24 // 45 // 40 // 40	TI- 2 000	TT 4 00//

Lighter than 16 gauge... Any....... Under 20".

(iii) A warehouse or dealer may deliver cast iron pipe, black or galvanized welded pipe up to and including 31/2' O.D. standard pipe size, wrought iron pipe, oil country tubular goods rated under Order P-98-b, pressure tubing, or wire rope and strand on an order bearing a preference rating of A-10 or higher.

(iv) A warehouse or dealer may deliver nails, staples, or bale ties on lower rated or unrated orders; and may deliver woven or welded wire fence, poultry netting, and barbed wire on lower rated or unrated orders when accompanied by a purchase certificate issued by a county farm rationing committee pursuant to Rationing Order C of the United States Department of Agriculture; and may deliver wire (except stainless or alloy wire), water well casing, posts and gates, and formed roofing and siding on lower rated or unrated orders for maintenance or repair purposes only.

(2) No warehouse or dealer shall make a delivery to any one customer to one destination at any one time from warehouse stock in quantities representing 40,000 lbs. or more except with the specific approval of the Director General for Operations, unless such delivery includes ten or more different items, each item to be of a specific quality, length, and cross-section, and no item of which shall weigh more than 8,000 lbs.: Provided, however, That the provisions of this paragraph (d) (2) do not apply to deliveries of oil country tubular goods rated under Order P-98-b.

(3) A warehouse or dealer called upon under the terms of Priorities Regulation No. 1, as amended, to deliver from stock at any one time one or more items weighing 8,000 lbs. each or more, which delivery would seriously deplete the warehouse inventory of such item or items, thereby impairing the service which the warehouse or dealer must render to all other buyers, may appeal to the Director General for Operations for relief from

any part of such delivery.

On and (e) Inventory limitations. after July 1, 1942, no warehouse may accept a delivery of Product Classification 20 (Tool Steel Bars) if such delivery, when added to its existing inventory of the same product classification, will result in an inventory at the end of any calendar quarter greater than twice its quarterly tool steel bar quota. On and after July 1, 1942, no warehouse may accept a delivery of any other product classification if such delivery, when added to its existing inventory of the same product classification, will result in an inventory at the end of any calendar quarter greater than one and one-third times its quarterly quota of such product classification.

(f) Special instructions. The Director General for Operations may from time to time issue specific directions to warehouses or dealers requiring them to earmark stocks or to make deliveries during specified periods in fulfillment of contracts, commitments, or purchase orders for particular purposes or to particular persons. Such directions will be made primarily to insure satisfaction of all war requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director General for Operations without regard to any preference ratings assigned to particular contracts, commitments, or purchase orders, and without regard to any quota established under paragraphs (b) or (c).

(g) Canadian warehouses. The Director General for Operations may establish quotas for warehouses located in the Dominion of Canada and may assign ratings to deliveries to such warehouses.

(h) Applications of higher ratings. The provisions of any preference rating certificate or order heretofore or hereafter issued to the contrary notwith-standing, no rating higher than A-1-k on Schedule A products or higher than A-3 on Schedule B products shall be applied by a warehouse for deliveries

to stock except on Form PD-83-g and in accordance with the following:

(1) For deliveries of Schedule A products to warehouses having a quarterly quota of Schedule A products amounting to 500 tons or less. (i) For the purposes of extension, preference ratings received on the sale of one or more product classifications representing the same type of steel (carbon, stainless or alloy) may be

(ii) Except as permitted by paragraph (h) (3), extension of a rating higher than A-1-k for any type of steel shall be made only when the warehouse has within 90 days prior to such extension, shipped from stock on ratings higher than A-1-k an accumulated total weight of such type of steel not less than the following:

	Pounds
Carbon steel, all products	40,000
Stainless steel, all products	6,000
Alloy steels, all products	20,000

(2) For deliveries of Schedule A products to all other warehouses and for deliveries of all Schedule B products to warehouses. (i) For the purposes of extension, the rating received by the warehouse for each product classification and type of steel as shown in Schedule C shall

be separately accumulated.

(ii) Except as permitted by paragraph (h) (3), extension of a rating higher than A-1-k for any Schedule A product classification or higher than A-3 for any Schedule B product classification shall be made only when the warehouse has within 90 days prior to such extension, shipped from stock on ratings higher than A-1-k or A-3 as the case may be, an accumulated total weight of such product classification and type not less than the minimum shown in Schedule C.

(3) As to iron or steel specialty products (such as spring wire, manufacturers' wire, and music wire) extension of a rating higher than A-1-k for any Schedule A product classification or higher than A-3 for any Schedule B product classification shall be made only when the warehouse has within 90 days prior to such extension shipped from stock on ratings higher than A-1-k or A-3, as the case may be, 1,000 pounds or more of such specialty item.

(4) The rating to be extended to the delivery of any product classification shall be the lowest rating received on shipments within the accumulated total.

(5) An amount of each product classification equal to the amount obtained through the use of preference ratings higher than A-1-k shall be reserved for a period of 90 days following the date of receipt by the warehouse for delivery on orders rated higher than A-1-k, except when otherwise specifically ordered by the Director General for Operations. If such material is not sold at the end of 90 days on ratings higher than A-1-k, it may then be sold on other orders, subject to the provisions of this or other orders.

(6) Consolidated ratings established pursuant to this paragraph (h) must be based solely on deliveries from one location, and deliveries pursuant to such consolidated ratings must be made to the same location.

(i) Extension of preference rating. The preference rating assigned by this order, or any higher rating applied by a warehouse pursuant thereto, may be applied by a producer to deliveries of material to be physically incorporated into material to be delivered by the producer to a warehouse under any rating assigned above, or to be used within the limitations of this paragraph to replace in the producer's inventory material so delivered. Such application of the rating shall be subject to the following:

(1) No producer may apply the rating to obtain material in greater quantities or on earlier dates than required to enable him to make on schedule a delivery rated hereunder, or to replace in his inventory material so delivered. He shall not be deemed to require such material if he can make his rated delivery and still retain a practicable working minimum inventory thereof; and if, in making such delivery, he reduces his inventory below such minimum, he may apply the rating only to the extent necessary to restore his inventory to such minimum.

(2) To extend such rating a producer must endorse on each purchase order or contract to be covered by a rating assigned hereunder, a statement in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944,27) by an official duly authorized

for such purpose:

The undersigned hereby certifies that the fron and steel products herein ordered are required to complete purchase order Nos. received from a steel warehouse. Preference Rating ---

Such endorsement shall constitute a representation to the War Production Board and to the person with whom the purchase order or contract is placed that such purchase order or contract is duly rated in accordance herewith. The seller shall be entitled to rely on such representation unless he knows or has reason to believe it to be false. Any such purchase order or contract shall be restricted to material the delivery of which is rated in accordance herewith.

(3) Each producer extending any rating in accordance with this paragraph (i) shall file such reports as may be required from time to time by the War Production Board.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942. ERNEST KANZLER. Director General for Operations.

SCHEDULE A

[Base tonnage—sales from warehouse stock, first calendar quarter of 1941, as approved on Form PD-83-a]

	Quota percent of base tonnage	
Froduct classification	States of Cali- fornia, Oregon, and Washing- ton	All other states
(Column 1)	(Col- umn 2)	(Col- umn 3)
1. Ingots, blooms, billets, siabs, tube rounds, sheet and tin bars.	120	100
2. Structural shapes and piling	120	100
3. Plates (universal and sheared)	100	100
4. Rails—over 60 lbs	100	100
5. Rails-all other	100	100
6. Tie plates and track accessories,	200	-
including track spikes	100	100
7. Hot rolled bars, carbon, includ-		-
ing hoons and hands	130	110
9. Hot rolled bars, alloy	120	100
10. Cold unished bars, earbon and	-	- 1000
alloy	130	110
alloy	- 60000	270
sure)	130	110
sure)	100	100
14. Black plate	80	60
16. Sheets and strip, hot rolled	120	300
17. Sheets and strip, cold reduced	80	60
19, Sheets and strip, all other (in-	00	400
cluding long ternes)	86	60
20, Tool steel bars, including drill		
rod	130	110
21. Wheels and axles	100	100
22, Forgings, armor plate, and ord-	- 1200	
nance	100	100
23. Forgings, all other (rough forg-	1000	- STATE
ings only)	100	100
24. Steel eastings (rough castings	- 5000	1000
only)	100	100
25. Skelp	100	100
26. All other	100	100
	35,000	100000

SCHEDULE B

[Base tonnage. For all products except Classification 13, shipments from producers to warehouse stock during corresponding cal-endar quarter of 1940. For Classification 13, shipments from producers to warehouse stock during corresponding calendar quarter of the period July 1, 1940-June 30, 1941. On specific election of the warehouse pursuant to paragraph (c) (1) of the order, the quarterly base tonnage may be changed to one-fourth of total shipments to stock during the base period provided above.

			The same of
	tonnag	of base e rated -3	
Product classification (Column 1)	Ware- house having annual base tonnage of all prod- ucts totaling 120,000 lbs. or less	Ware-house having annual base tonnage of all products over 120,000 lbs.	Quota as % of base tonnage maxi- mum which may be shipped (Coi- umn 4)
	(Col- umn 2)	(Col- umn 3)	
8. Hot rolled bars, concrete reinforcing 11a. Pipe and tubes (all kinds	50	50	120
except mechanical and pres- sure tubing)	100	100	120
 a. Wire rope and strand, bale ties, nails, staples. b. Wire, woven fence wire, 	140	140	140
poultry netting, barbed wire	100	100	120
(short ternes) 18. Galvanized sheets and strip (including formed	0	0	. 0
roofing and siding)	100	100	120

SCHEDULE C

[Minimum size orders of steel for warehouse stock to which a rating higher than A-1-k may be extended]

	Tyl	eel	
Schedule A products	Car- bon	Alloy	Stain- less
Ingots, blooms, billets, slabs, tube rounds, and sheet and tin bars. Structural shapes and piling Plates (universal and sheared). (Rails-over 60 bls.). (Rails-all other). Tie plates and track accessories, including track spikes.	40,000	20, 000 20, 000 20, 000	6, 000
7. Hot rolled bars, carbon, including hoops and bands 9. Hot rolled bars, alloy. 10. Cold finished bars, carbon and alloy. 11b. Tubing (mechapical and		20, 000	6, 000
pressure). 12. Wire rods (for wire drawing only).	40,000	10, 000	
 14. Black plate 16. Sheets and strip, hot rolled 17. Sheets and strip, cold reduced 19. Sheets and strip, all other (including long ternes) 	40, 000	20, 000	6, 000 6, 000
20. Tool steel tars, including drill rod. 21. Wheels and axles. 22. Forgings, armor plate and	1, 000 40, 000	1, 000 20, 000	
ordnance 23. Forgings, all other (rough forgings only). 24. Steel castings (rough castings	20, 600	20, 000	
only) 25, Skelp. 26, All other.	40,000		6,000

[Minimum size orders of steel for warehouse stock to which a rating higher than A-3 may be extended]

Schedule B products	Type or steer (pounds)			
	Car- bon	Alloy	Stain- less	
S. Hot rolled bars, concrete reinforcing. Ha. Pipe and Tubes (All kinds	-40, 000			
except mechanical and pressure tubing) 13. Wire and wire products:	40, 000			
a. Wire rope and strand, bale ties, nails, and welding rods (uncoated). b. Wire, woven fence wire, poultry netting, stucco netting, welded wire fabric in rolls (building fabric), harbed wire, staples.	40, 000		2,000	
fence posts and gates	No quotas 40, 000			

[F. R. Doc. 42-14191; Filed, December 31, 1942; 11:49 a. m.]

Part 1041—Production, Transportation, REFINING and Marketing of PetroLeum [Preference Rating Order P-98-b, as Amended Dec. 31, 1942]

Section 1041.2 Preference Rating Order P-98-b is hereby amended to read as follows:

§ 1041.2 Preference Rating P-98-b. For the purpose of facilitating the acquisition of material for the production, transportation, refining and marketing of petroleum, preference ratings are hereby assigned to deliveries of necessary material upon the terms hereinafter set forth:

(a) Definitions. (1) "Person" means any individual, partnership, association,

business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not

(2) "Operator" means:

 (i) Any person located in the United States, its territories or possessions, engaged in the petroleum industry; or

(ii) Any person located in the Dominion of Canada engaged in the petroleum industry to whom and in whose name a copy of this order or of Preference Rating Order P-98, Extended and Amended, is or has been specifically issued and to whom a serial number has been assigned.

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to the operator or to another supplier.

(4) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(5) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(6) "Petroleum industry" means any operation directly incident to:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline production);(iii) The transportation, movement,

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, refining or compounding of finished or unfinished petroleum products (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing).

(7) "Research laboratory material" means material used exclusively for the purpose of carrying out by means of an existing research laboratory investigations into more efficient or more effective methods of conducting petroleum industry operations, except that such material shall not include material for use in the construction of laboratory buildings or other structures.

(b) Scope of order. (1) No operator may apply any preference rating assigned by this order to obtain delivery

of material:

(i) Unless such material is research laboratory material, or is to be used in effecting an alteration which when completed has involved the use of additional material having a total value of less than \$500.00, or is to be used for maintenance or repair purposes or as operating supplies; or

(ii) Unless such rating is applied to obtain delivery of material to be used in any operation directly incident to the discovery, development or depletion of

petroleum pools.

(2) The Director General for Operations may from time to time issue supplementary orders or specific directions with respect to the application of preference ratings or the use of material obtained under this order.

(c) Assignment of preference ratings. Subject to the terms of this order, a preference rating of A-2, A-1-a or AA-2X is

hereby assigned to deliveries of material to an operator for use in the petroleum industry.

(d) Restrictions on the application of preference ratings by an operator. (1) No operator may apply any preference rating assigned by this order to obtain delivery of material unless the material cannot otherwise be obtained on the date when such material is required, and no operator may apply a preference rating assigned by this order in any case where a lower preference rating assigned by this order will enable such operator to secure the material on the date when such material is required.

(2) No operator may apply a rating assigned by this order to obtain material the use of which may be eliminated by substitution of less scarce material or by change of design without serious loss of efficiency.

(3) No operator may apply a rating assigned by this order to obtain material in excess of a 90 day supply thereof: *Provided*, That the Director General for Operations may determine and direct that any operator or class of operators is exempt, in whole or in part, from the restrictions contained in this paragraph.

(4) No operator as defined in paragraph (a) (2) (i) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited or in any way limited by any order or regulation issued by the War Production Board, other than material to be used in conformity with the provisions of such order or regulation.

(5) No operator as defined in paragraph (a) (2) (ii) may apply a rating assigned by this order to obtain material for any use which is restricted, prohibited, or in any way limited by any applicable order or equivalent authority issued by the Government of the Dominion of Canada, other than material to be used in conformity with the provisions of such order or equivalent authority.

(e) Method of application of preference ratings. In order to apply a preference rating assigned by this order:

(1) The operator must endorse on, or attach to, each contract or purchase order placed by him which includes such a preference rating, a certification in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the item shown on this purchase order and that such application or extension is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar.

(Name of purchaser) (Address)

By_________
(Signature and title of (Date)
duly authorized official)

and

(2) The operator shall obtain the approval of the Director General for Operations before the rating is applied in any case:

(i) Where the delivery of an item which has a cost to the operator of \$500.00 or more requires the application of an A-1-a preference rating; or

(ii) Where, except as provided in paragraph (e) (3) (iii), the delivery of an item requires the application of an AA-2X preference rating.

In order to obtain such approval, the operator shall communicate to the Petroleum Administration for War, Washington, D. C., Ref: P-98-b, the information set forth in paragraph (f).

(3) The operator shall obtain a countersignature on the purchase order or contract before the rating is applied in

(i) Where the delivery of an item which has a cost to the operator of \$100.00 or more requires the application of an A-2 preference rating; or

(ii) Where the delivery of an item which has a cost to the operator of less than \$500.00 but more than \$5.00 requires the application of an A-1-a preference

rating; or
(iii) Where there has been an actual breakdown or a suspension of operations and where the delivery of an item which has a cost to the operator of less than \$500.00 requires the application of an AA-2X preference rating.

In order to obtain such a countersignature the operator as defined in paragraph (a) (2) (i) shall submit the purchase order or contract to the District Director of Material of a District Office of the Petroleum Administration for War, and the operator as defined in paragraph
(a) (2) (ii) shall submit the purchase order or contract to the Oil Controller, Dominion of Canada. In order to obtain a countersignature pursuant to paragraphs (e) (3) (ii) and (e) (3) (iii) such operator shall communicate to the District Director of Material or to the Oil Controller the information set forth in paragraph (f).

(4) In the event that the material specified in Exhibit A is to be used in service station operations, the operator shall obtain the countersignature of the District Director of Materials or of the Oil Controller on the purchase order or contract before the rating is applied in

any case:

(i) Where the delivery of an item. which has a cost to the operator of less than \$100.00, requires the application of

an A-2 preference rating, or

(ii) Where the delivery of an item, which has a cost to the operator of \$5.00 or less, requires the application of an A-1-a preference rating.

Provided, That in applying a preference rating assigned by this order, no operator shall alter the customary designation of any item or subdivide an ordinary purchase of any item for the purpose of making it appear that the item costs less than \$500.00, or that the item costs less than \$100.00, or that the item costs \$5.00 or less.

(f) Information. Wherever required by this order the following information shall be submitted by an operator:

(1) Date of actual breakdown or suspension of operations and exact explanation as to what extent operations are affected (if applicable):

(2) The equipment to be repaired and its function in maintaining continuous

operation (if applicable);

(3) Price, quantity, approximate weight and detailed description of necessary material; if such material in finished form weighs twenty-five pounds or less, the weight need not be shown but a statement must be made that the weight is not over twenty-five pounds (detailed description of material must be given even though it is set forth in purchase order or contract):

(4) A general description of the metals contained in the material applied for, and the full justification as to necessity for any material containing metals adjudged critical by the War Production Board, including copper, nickel, chromium, zinc, tin, aluminum and

molybdenum;

(5) The supply of the necessary material which the operator has on hand;

(6) The name and address of the supplier (or suppliers) and the earliest delivery dates assured by him for the delivery of the minimum necessary quantity of material on (i) the preference rating for which approval is requested, and (ii) the next lower preference rating assigned by this order;

(7) The purchase order or contract shall not be sent to the Petroleum Administration for War, Washington, D. C. but in every instance the number and date of the purchase order or contract must be transmitted to the Petroleum Administration for War, Washington,

D. C.; and
(8) Any other data or information
which will help to determine the importance or urgency of the material for which application for rating is made.

(g) Additional preference rating assistance. (1) If the preference ratings assigned by this order will not enable an operator to obtain material on the date when such material is required, the operator may file a PD-1A application for an improvement of the ratings assigned by this order.

(2) If there has been an actual breakdown or a suspension of operations and if the preference ratings assigned by this order or the method specified in paragraph (e) for applying these ratings will not permit an operator to obtain material on the date when such material is required, the operator in order to obtain material for this emergency may communicate by letter or telegram with the Petroleum Administration for War, Washington, D. C., Ref.: P-98-b, supplying the information set forth in paragraph (f).

(h) Exception of operators from provisions of Preference Rating Orders P-43, P-46, and P-100. No operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be entitled to apply the preference rating or ratings assigned by Preference Rating Orders P-43, P-46 or P-100, and no operator to the extent that he is engaged in the petroleum industry and is covered by this order shall be subject to the provisions of Preference Rating Orders P-43, P-46, or P-100.

(i) Communications. All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Petroleum Administration for War, South Interior Building, Washing-

ton, D. C., Ref.: P-98-b.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P-98-b.

(j) Violations. Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(k) Applicability of priorities regulations. This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125. 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942. ERNEST KANZLER. Director General for Operations.

EXHIBIT A

1. Drills, reamers, and taps manufactured of high speed steel as defined in Supplementary Order M-21-h.

2. Hacksaw blades manufactured of high speed steel as defined in Supplementary Order M-21-h.

3. Hand service operating tools.
4. Precision measuring hand tools.

Portable electric tools.

[F. R. Doc. 42-14195; Filed, December 31, 1942; 11:51 a. m.]

PART 1041-PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM [Amendment 1 to Preference Rating Order P-98-c]

- 1. Section 1041.3 Preference Rating Order P-98-c, paragraph (b) is hereby amended to read as follows:
- (b) Sales of material between operators. (1) Any operator may sell to any other operator material from the seller's stocks or inventories, and any such sale shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13, as amended from time to time.
- (2) Notwithstanding the provisions of Priorities Regulation No. 13, as amended from time to time, any operator may sell to any supplier for direct resale to an-

other operator material from the stocks or inventories of the operator.

2. Section 1041.3 Preference Rating Order P-98-c is hereby amended by the elimination of paragraph (f) entitled "Effective date".

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-14196; Filed, December 31, 1942; 11:51 a. m.]

PART 1072—Sole LEATHER | Supplementary Order M-80-f1

§ 1072.7 Supplementary Order M-80-f Pursuant to paragraph (b) (1) of Order M-80 as amended to August 5, 1942, which this order supplements, each person tanning sole leather for his own account or causing sole leather to be tanned for his account by others shall set aside during the period from January 1, 1943, to January 31, 1943, inclusive, at least 20% of the quantity of manufacturers bends produced by him for his own account, or produced for his account by others, during that period. weight and quality of said portion set aside shall be proportionately equal, as nearly as can be, to those of the manufacturers bends not so set aside.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-14192; Filed, December 31, 1942; 11:49 a. m.]

PART 1081-ELECTRIC POWER

[Extension 1 to Limitation Order L-46, as Amended March 30, 1942]

CURTAILMENT OF ELECTRIC POWER IN THE NIAGARA FRONTIER AREA

Section 1081.1 Limitation Order L-46, amended, is hereby extended and shall remain in effect until terminated by the Director General for Operations. This extension shall be effective December 31, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-14185; Filed, December 31, 1942; 11:47 a. m.]

PART 1144—GOATSKINS, KIDSKINS, AND CABRETTAS

[Conservation Order M-114 as Amended December 31, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of goatskins, kidskins and cabrettas for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1144.1 Conservation Order M-114—
(a) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(b) Definitions, For the purposes of this order:

(1) "Goatskin" means the skin of the goat or leather made from it, other than a kidskin or India tanned goatskin.

(2) "Kidskin" means the skin of the young goat or leather made from it.

(3) "Cabretta" means the skin of a hair sheep or leather made from it.

(4) "Raw skin" means a skin in its original condition when imported, and before depilation.

(5) "India tanned goatskin" means an imported goatskin that has been tanned in Asia.

(6) "Put in process" means to soak in water or solution before depilation.

(7) "Semi-processed or finished" includes all skins that have already been put in process within the United States.

(8) "Tanner" means any person who puts in process raw goatskins, raw kidskins or raw cabrettas.

(9) "Basic monthly wettings" shall mean one-twelfth of the sum total of raw goatskins, raw kidskins, and raw cabretta skins put into process by a tanner during the period from January 1, 1941, to December 31, 1941, both inclusive.

(10) "Military order" means an order for leather to be delivered to, or for the account of, the Army or Navy of the United States, the Marine Corps, the Coast Guard, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or for leather to be physically incorporated into products to be so delivered.

(11) "Footwear" includes house slippers but does not include foot covering designed to be worn over shoes.

(c) Restrictions on processing. (1) No person shall put in process during November and December, 1942, and January 1943, to fill his military orders and other orders a sum total of raw goatskins, kidskins and cabrettas equal to more

than 220% (total for three months) of his basic monthly wettings, and no person shall put in process during subsequent months a greater percentage of his basic monthly wettings of such raw goatskins, raw kidskins and raw cabrettas than is permitted by orders supplementary to this order,

(2) No person shall hereafter put in process any raw goatskins or raw kidskins except to make leather for incorporation into some product referred to in paragraph (f) (1) below.

(3) The restrictions in this paragraph shall not apply to any person who puts into process only domestic goatskins or domestic kidskins and who processes fewer than 200 skins per month.

(d) Prohibitions against sales or deliveries. No person shall, after August 7, 1942, sell or deliver any raw goatskins, raw kidskins, or raw cabretta skins if he knows or has reason to believe such material is to be processed or delivered in violation of this order.

(e) Fair distribution of products. In making sales or deliveries of semi-processed or finished goatskins, kidskins, or cabrettas, no tanner shall make discriminatory cuts in amounts or quantities in acceptance of orders or deliveries between former customers who meet such tanner's regularly established prices, terms and credit requirements. Reduction in sales or deliveries proportionate with any curtailment of input established in paragraph (c) hereof shall not constitute a discriminatory cut.

(f) Restrictions on use of leather made from goatskins and kidskins. (1) After December 31, 1942, no person shall utilize any leather made from goatskins or kidskins for the manufacture of any article other than the following:

Any article covered by a military order, Footwear,

Trusses,

Surgical supports,

Orthopedic products (including arch supports),

Garments or gloves (made only from leather produced unavoidably in tanning for specific military orders but rejected as not meeting specifications) (but not exceeding an amount equal to 12½% of the leather produced by any tanner to fill military orders).

Provided, however, That until March 31, 1943, leather finished prior to January 14, 1943, may be used to manufacture other products.

(2) The restrictions in paragraph (f) (1) above shall not apply to:

(i) The manufacture of any article out of pieces of scrap which cannot be used to make any of the articles specified in said sub-section. Any tanner selling any such scrap pieces for such purpose shall show such sales in his report to the War Production Board on Form PD-373.

- (ii) Persons who utilize only leather made from domestic goatskins or domestic kidskins and who use fewer than 200 skins per month.
- (3) No tanner shall sell or deliver any leather made from goatskins or kidskins if he knows or has reason to believe that such leather is to be used in violation of this paragraph (f).

Note: Paragraphs (g), (h), (i), (j), and (k) were formerly designated (f), (g), (h), (i), and (j).

(g) Appeal. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of goatskins, kidskins or cabrettas conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference M-114, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) Reports. Any person who puts in process goatskins, kidskins, or cabrettas shall file with the War Production Board, monthly, beginning April 30, 1942, one copy of report form PD-373; and shall file any additional reports and forms prescribed by the War Production Board,

from time to time.

- (i) Records. Any person who puts in process goatskins, kidskins or cabrettas shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this
- (j) Communications to the War Production Board. All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: "War Production Board, Textile, Leather and Clothing Division, Washington, D. C., Ref: M-114"
- (k) Violations. Any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (a) of the Criminal Code (18 U.S.C. 80).

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125. 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub, Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942, ERNEST KANZLER, Director General for Operations.

[F. R. Doc. 42-14193; Filed, December 31, 1942; 11:50 a. m.]

PART 3008-ELECTRIC PUSES

[Limitation Order L-161 as Amended Dec. 31, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc, iron, steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war

§ 3008.1 General Limitation Order L-161—(a) Definitions. For the purposes of this order:

- (1) "Electric fuse" means a thermal device used in an electrical circuit to prevent the flow of electricity in excess of a stated capacity in amperes. "Electric fuse" shall not include an electric fuse of 2300 volt size or larger or a "circuit breaker"
- (2) "Manufacturer" means any person who makes, fabricates, assembles, casts or in any way processes material for the manufacture of electric fuses.

(3) "Copper" means unalloyed copper metal.

- (4) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the metal.
- (b) General restrictions. Notwithstanding any contract, agreement or preference rating to the contrary:
- (1) No manufacturer shall on or after 15 days subsequent to August 25, 1942 use in the manufacture, casting or processing of a component part of an electric fuse any copper or copper base alloy except as a conductor of electric current;
- (2) No manufacturer shall on or after 30 days subsequent to August 25, 1942 use in the assembly of an electric fuse or in the assembly of a component part of an electric fuse any copper or copper base alloy except as a conductor of electric current;
- (3) No manufacturer shall on or after the 31st day of December, 1942, ship or sell any electric fuse or component part of an electric fuse except;
- (i) Pursuant to a preference rating of A-10 or better, provided that on and after January 21, 1943, no manufacturer may ship or sell an electric fuse or component part of an electric fuse except pursuant to a preference rating of A-1-j
- (ii) To another manufacturer; or
- (iii) As a replacement part as defined in General Limitation Order L-158.

The provisions of paragraph (b) (3) of this order shall neither limit nor prohibit a sale or shipment of any electric fuse or component part of an electric fuse by any person other than a manufacturer.

(c) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection, by duly authorized representatives of the War Production Board.

(e) Reports. Each person to whom this order applies shall file with the War Production Board such reports and guestionnaires as said Board shall from time

- to time prescribe.

 (f) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order. wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.
- (g) Appeal. Any appeal from the provisions of this order shall be filed on Form PD-500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.
- (h) Applicability of other orders. Insofar as any other order heretofore or hereafter issued by the Director General for Operations limits the use of any material in the production of electric fuses to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.
- (i) Routing of correspondence. All communications concerning this order should be addressed to the War Production Board, Building Materials Division, Washington, D. C., Ref: L-161.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942. ERNEST KANZLER,

Director General for Operations.

[F.R. Doc. 42-14186; Filed, December 31, 1942; 11:48 a. m.]

PART 3032—FILM

[General Limitation Order L-178, as amended Dec. 31, 1942]

3032.1 General Limitation Section Order L-178 is hereby amended to read as follows:

§ 3032.1 General Limitation Order L-178—(a) Definitions. For the purposes of this order:

(1) "35 mm, film" means unexposed film 35 mm. wide with a nitrate or safety base, whether negative or positive, other than film packaged for use in 35 mm. still cameras and other than film in strips of less than 100 linear feet.

(2) "Person" means any individual, partnership, association, business trust corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Transfer" means the exposure of 35 mm. film by one person for the account of any other person and in addition the sale, lease, trading, loan, delivery, ship-ment or transfer of 35 mm. film by one person to any other person, but shall not

(i) Transfers of 35 mm. film from one branch, division, or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or con-

(ii) Transfers of title merely for se-

curity purposes;

(iii) Transfers of 35 mm. film to and from warehouses where no substantial change in right, title or ownership to such 35 mm. film is affected;

(iv) Transfers to and from carriers in order to effect the transfers specified in

this paragraph;

(v) Transfers of 35 mm. film by:

(a) Eastman Kodak Company to J. E. Brulatour, Inc.
(b) Du Pont, E. I. de Nemours & Com-

pany to Smith & Aller, Ltd.

(c) Agfa Ansco to Agfa Raw Film

Corporation.

(4) "Class A producer" means any of the following producing companies and their subsidiaries:

Columbia Pictures Corporation, Hollywood

Square, Hollywood, California. Metro-Goldwyn-Mayer, Culver City, Cali-

fornia. Paramount Pictures, Inc., 5451 Marathon Street, Hollywood, California.

Radio-Keith-Orpheum Corporation,

North Gower Street, Hollywood, California, Republic Pictures Corporation, 4024 Rad-ford Avenue, North Hollywood, California.

Universal Pictures Company, Inc., Universal

City, California.

Twentieth Century Fox Film Corporation, 10201 West Pico Boulevard, Los Angeles, Cali-

Warner Brothers Pictures, Inc., 400 West Olive Street, Burbank, California.

(5) "Class B producer" means any person other than a Class A producer who exposes 35 mm, picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters, at least one of whose motion pictures produced during 1941 was distributed by any Class A or Class B distributor.

(6) "Class C producer" means any person other than a Class A or Class B producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture

for exhibition in theaters.

(7) "Class A distributor" means any of the following distributing companies and their subsidiaries:

Columbia Pictures Corporation, 729 Seventh Avenue, New York, New York,

Loew's Inc. (Metro-Goldwyn-Mayer), 1540 Broadway, New York, New York, Paramount Pictures, Inc., 1501 Broadway,

New York City

Radio-Keith-Orpheum Corp., 1270 Sixth Avenue, New York, New York. Republic Pictures Corporation, 1790 Broad-

way, New York, New York.

Twentieth Century Fox Film Corporation, 444 West 56th Street, New York, New York.

Universal Pictures Company, Inc., 1250 Sixth Avenue, New York, New York, Vitagraph, Inc. (Warner Brothers), 321

West 44th Street, New York, New York.

(8) "Class B distributor" means any of the following distributing companies and their subsidiaries:

Monogram Productions, Inc., 4376 Sunset Drive, Hollywood, California.

Producers Releasing Corporation, 1501 Broadway, New York, New York, United Artists Corporation, 729 Seventh

Avenue, New York, New York.

(9) "Class C distributor" means any person other than a Class A or Class B distributor who distributes 35 mm. prints of entertainment, factual, or special pic-

tures for exhibition.
(10) "Expose", "exposing" or "exposed" includes in addition to its normal meaning, to process by an imbibition method,

such as technicolor.

(11) "Entertainment picture" means any picture other than a factual or special picture, including newsreels and trailers for entertainment pictures.

(12) "Factual picture" means any picture whose main function is informational or instructional. It does not include special pictures or pictures whose main function is entertainment, but it includes advertising and sales promotion pictures

"Special picture" means any pic-(13)

ture:

(i) Produced for scientific research purposes, such as recording and measuring;

(ii) Produced for micro-filming purposes:

(iii) Produced for identification picture purposes;

(iv) Produced for such other special purposes as the Director General for Operations may from time to time specify.

(b) Restrictions upon exposure of 35 mm. film for entertainment pictures. (1) Except as provided in paragraph (b) (5) of this order, during the three months period beginning January 1, 1943, no Class A producer and its Class A distributor shall expose or have exposed for their account or for the account of any other person whatsoever, in the production and distribution of entertainment pictures a greater combined total of 35 mm. film than the amount specified in Schedule A, attached to this order, opposite the names of such Class A producer and its Class A distributor.

(2) Except as provided in paragraph (b) (5) of this order, during the three months period beginning January 1, 1943, no Class B distributor shall expose or have exposed for its account or for the account of any other person whatsoever, in the production and distribution of entertaiment pictures a greater total of 35 mm. film than the amount specified in Schedule A attached to this order, opposite the name of such Class B distrib-

(3) Except as provided in paragraph (b) (5) of this order, on and after January 1, 1943, no Class B producer shall expose or have exposed for its account or for the account of any other person whatsoever in the production and dis-

tribution of entertainment pictures any 35 mm, film except pursuant to a specific authorization of the Director General for Operations, except such 35 mm. film which any Class A or B distributor exposes for the account of such Class B producer within the quota established for such Class A or Class B distributor pursuant to paragraphs (b) (1) and (b) (2) of this order.

(4) Except as provided in paragraph (b) (5) of this order, during the three months period beginning January 1, 1943. no Class C producer or Class C distributor shall expose or have exposed for its respective account or for the account of any other person whatsoever in the production and distribution of entertainment pictures, more 35 mm. film than 22% of the 35 mm. film exposed by or for the respective account of such Class C producer or Class C distributor during the calendar year 1941.

(5) In addition to the amounts of 35 mm. film which may be exposed in the production and distribution of entertainment pictures pursuant to other provisions contained in this paragraph (b), the following additional amounts of film may be exposed:

(i) Any Class A, B or C distributor may expose or have exposed for its account or for the accounts of other persons during the three months period beginning January 1, 1943, and during any three months period thereafter, amounts of 35 mm. film equal to 50% of the linear feet of 35 mm, film contained in positive prints of entertainment pictures which such distributor turned over to the Army of the United States for distribution and exhibition by the Army of the United States in the preceding calendar quarter, and 100% of the linear feet of 35 mm, film contained in positive prints of entertainment pictures which such distributor turned over to the Navy of the United States for distribution and exhibition by the Navy of the United States in the preceding calendar quarter.

(ii) Such amounts of film as the Director General for Operations shall from time to time authorize Class A, B, and C producers and Class A, B, and C distributors to expose during the period beginning January 1, 1943, and ending June 30, 1943. During the period specifled the Director General for Operations will not grant authorizations pursuant to this subparagraph in excess of 57,000,-000 linear feet of 35 mm. film.

(c) Restrictions upon exposure of 35 mm. film for factual pictures. On and after January 1, 1943, no person (including government agencies) shall expose or have exposed for its account or for the account of any other person whatsoever any 35 mm. film for the production and distribution of factual pictures except pursuant to the specific authorization of the Director General for Operations. During the period beginning January 1, 1943, and ending June 30, 1943, the Director General for Operations will not authorize the exposure of more 35 mm. film for factual pictures than 44,300,000 linear feet.

(d) Restrictions upon exposure of 35 mm. film for special pictures. On and after January 1, 1943, no person (including government agencies) shall expose or have exposed for its account or for the account of any other person whatsoever any 35 mm. film for the production and distribution of special pictures except pursuant to the specific authorization of the Director General for Operations.

(e) Special exemptions affecting re-strictions upon exposure. The restric-tions affecting exposure of 35 mm, film contained in paragraphs (b), (c), and (d) of this order shall not apply to:

(1) The Army and Navy of the United States, and

(2) The Office of Strategic Services.

(f) Restrictions upon transfers of 35 mm. film on and after December 31, 1942. (1) On and after December 31, 1942, no person shall transfer any 35 mm, film to any other person whatsoever, except:

(i) Motion picture laboratories and other service organizations processing 35 mm, film may transfer 35 mm. film to or for the account of Class A and B distributors, the Army and Navy of the United States, or the Office of Strategic Services.

(ii) With specific authorization of the

Director General for Operations.

(g) Applications for authorizations to expose or transfer 35 mm. film. Any person may apply to the Director General for Operations for a specific authorization to expose or transfer 35 mm. film by executing and filing Form PD-763 with the Motion Picture and Photographic Section of the Consumer Durable Goods Division of the War Production Board, Washington, D. C. The following additional information must be filed with Form PD-763 if the application relates to factual pictures:
(1) The extent to which the picture

is planned in conjunction with an organized picture program of a specific federal government department in fur-

therance of the war effort;

(2) The extent to which the picture duplicates pictures already produced or in production:

(3) The extent to which the picture is to be used in connection with a national or regional campaign:

(4) The extent of the applicant's activities in producing similar films during 1941;

(5) The extent to which the film is to be used for class room instruction, if it is an educational film.

(h) Reports. (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Every motion picture laboratory and other service organization processing 35 mm. film shall execute and file with the War Production Board, Washington, D. C., Ref.: L-178, on or before the 10th day following the close of each

calendar month, Form PD-764.

(i) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) Violations. Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as

amended from time to time.

(1) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumer Durable Goods Division, Washington, D. C., Ref: L-178.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942. ERNEST KANZLER. Director General for Operations.

SCHEDULE A

Columbia Pictures Corporation	30, 168, 738
Metro - Goldwyn - Mayer and	
Loew's, Inc	51 227 440
Monogram Productions, Inc	5, 617, 180
Description arceletottone, altoning	
Paramount Pictures, Inc.	
Producers Releasing Corporation_	3, 052, 332
Radio-Keith-Orpheum Corpora-	
tion	32,005,224
Republic Pictures Corporation	
	17, 653, 771
Twentieth Century Fox Film Cor-	
poration	41, 282, 295
United Artists Corporation	
Universal Pictures Company, Inc.	32, 950, 758
Warner Brothers Pictures, Inc.,	Zerostroe ser
and Vitagraph, Inc	99 159 010
min armenini illon	00, 104, 214

[F. R. Doc. 42-14187; Filed, December 31, 1942; 11:48 a. m.]

PART 3108-MATERIAL FOR REPAIR, MAIN-TENANCE AND OPERATION OF METAL MILLS WORKING COPPER, ZINC, COPPER-BASE ALLOYS OR ZINC ALLOYS

[Preference Rating Order P-134]

§ 3108.1 Preference Rating Order P-134-(a) Definitions. For the purpose of this order:

(1) "Metal mill" means a plant which actually makes copper, zinc, copper-base alloy, or zinc alloy castings, ingots or shot

in its plant.
(2) "Maintenance" means minimum upkeep necessary to continue the working condition of the metal mill at its

present rate of operations.

(3) "Repair" means restoration of the metal mill's plant to a sound working condition after wear and tear, damage, destruction of parts or the like have made it unsafe or unfit for service.

(4) "Material for repair, maintenance, and operation" means material (includ-

ing any commodity, equipment, accessories, parts, assemblies, or products of any kind) which is generally carried as metal mill's stores and charged to operating expense accounts and which is required for repair or maintenance of the metal mill's plant, or operating supplies which must be consumed in the amounts required to sustain the metal mill's level of operation. The term does not include raw materials which enter into or form part of a product produced by the metal

(b) Assignment of preference ratings. Subject to the restriction of paragraph (d) below and of all the terms of this order, the following preference ratings are hereby assigned to deliveries to the metal mill of material for repair, maintenance and operation, but nothing herein contained shall prevent the use of any other or higher rating to which any person may be entitled by reason of any other preference rating certificate or

(1) AA-2x to deliveries of material consisting of all metals in any form appearing on Materials List No. 1, Revised, of Form PD-25A, all fabricated metal parts and all lumber.

(2) AA-5 to deliveries of all other ma-

terial.

Linear feet

(c) Application and extension of rating. The rating assigned by paragraph (b) of this order shall be applied and extended in accordance with Priorities Regulation No. 3, as amended from time to

(d) Restriction on application of rating. No metal mill which can qualify as a Class I producer under the Production Requirements Plan (Priorities Regulation No. 11) nor any person securing priorities assistance under the Production Requirements Plan for the materials covered by this order may apply the rating hereby assigned to any material.

(e) Records. In addition to the records required to be kept under Priorities Regulation No. 1, the metal mill placing any purchase order or contract rated hereunder, shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such manner that they can be readily segregated for such inspection.

(f) Reports. Each metal mill, not operating under the Production Requirements Plan and using more than \$300 per quarter of material needed for repair, maintenance, and operating supplies, applying the preference rating assigned hereunder in any month, shall, within ten days after the close of each quarter, file Form PD 742 with the War Production Board and such other re-ports as may be required by the Director General for Operations from time to time.

(g) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(h) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Copper Division, War Production Board, Wash-

ington, D. C. Ref: P-134.

(i) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942.

ERNEST KANZLER. Director General for Operations.

[F. R. Doc. 42-14197; Filed, December 31, 1942; 11:50 a. m.]

PART 3146-GARMENT LEATHER

[Conservation Order M-265 as Amended Dec. 31, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3146.1 Conservation Order M-265-(a) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(b) Definitions. For the purposes of

this order:

- (1) "Cattlehide" means the hide or skin of bulls, steers and cows, whether native or branded, foreign or domestic, including calf and kipskins (but excluding slunks) and shall also include buffalo hides.
 - (2) [Revoked Dec. 31, 1942]

(3) [Revoked Dec. 31, 1942] (4) "Garment leather" means leather to be incorporated into jackets, jerkins, doublets, vests, coats and other similar

articles of apparel.
(5) "Military order" means an order for products to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the Marine Corps, the War Shipping Administration, the governments of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Pro-

tectorates, or Yugoslavia, or the governments of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(6) "Civilian order" means any order

except a military order.

(c) Restriction on processing of garment leather. No tanner shall put into process for garment leather, or continue to process, any cattlehides, (other than cattlehide splits) except to the extent required to fill military orders.

This restriction shall not apply to any cattlehides which have reached a stage in the process on November 28, 1942 where they cannot be made into leather suitable for any other purpose.

(d) Restriction upon sales and deliveries of garment leather made from cattlehides. No tanner or converter shall sell or deliver any leather made from cattlehides (other than cattlehide splits) against any civilian order for garment leather if such leather is suitable for filling any of his military orders.

(e) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the ap-

peal.

(f) Reports. Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(g) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, pur-

chases, production and sales.

(h) Communications to the War Production Board. All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Ref: M-265.

(i) Violations. Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assist-

(j) Expiration date. This order shall expire on February 15, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1942. ERNEST KANZLER,

Director General for Operations.

(F. R. Doc. 42-14198; Filed, December 31, 1942; 11:50 a. m.]

Chapter XI-Office of Price Administration

PART 1360-MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Ration Order 2A,1 Amendment 21]

NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

A rationale for the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1360.310 (h), 1360.339 and 1360.340 are amended to read as set forth below; a new § 1360.374 is added:

Definitions

§ 1360.310 Definitions. * *

(h) "Pool car" means:

(1) Any hard top new passenger automobile which has a list price of less than \$2,500, according to OPA Revised Price Schedule No. 85° or any of its Amendments, and which on January 16, 1942, was in the physical possession of a manufacturer or of a person owned or controlled by a manufacturer, except that any new passenger automobile which was set aside by a manufacturer for export on or before March 2, 1942, shall not be deemed a pool car; and

(2) Any new passenger automobile substituted for a pool car on authorization of the Office of Price Administration, Washington, D. C., except the fol-

(i) Any car which has a list price of \$2,500 or more according to OPA Revised Price Schedule No. 85 or any of its amendments; or

(ii) Any car with a convertible or soft

Persons Eligible to Acquire New Passenger Automobiles by Transfer With Cer-

§ 1360.374 Eligibility, applications and certificates for obtaining automobiles with list price of \$2,500 or more or 1941 and earlier model new passenger automobiles. (a) This paragraph describes those persons who are eligible to acquire any new passenger automobile which has a list price of \$2,500 or more according to OPA Revised Price Schedule No. 85 or any of its amendments, or any 1941 or earlier model passenger automobile which has been driven less than 1,000 miles. This section does not permit the issuance of a certificate for any other model passenger automobile.

A certificate may be issued to a person regularly engaged in a gainful occupation or to a person engaged in work which contributes to the war effort or to the public welfare. The certificate may not be issued unless it is established that the applicant has satisfied the need provisions of § 1360.371 of these regulations and that the automobile will be used at least three days a week for travel related to the applicant's occupation or work.

*Copies may be obtained from the Office of

Price Administration. 17 F.R. 1542, 1647, 1756, 2108, 2242, 2305, 2903, 3097, 3482, 4343, 5484, 6049, 6082, 6424, 6601, 6775, 6964, 7149, 8808, 8895, 9316, 10228, 27 P.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899.

(b) Application for a certificate shall be made on OPA Form R-213. Information regarding eligibility under this section shall be supplied in answer to ques-

tion 6 of the Form.

(c) Upon being satisfied that the applicant is eligible under this section and has established his need under § 1360.371 of these regulations, the Board shall issue a certificate to him on OPA Form R-202. Prior to issuing the certificate, the Board shall strike the words "purchased on or before January 1, 1942" from the title of the certificate. The Board shall then fill in the necessary information required on the certificate. and in answer to question 8 it shall insert the following: "Any new passenger automobile which has a list price of \$2,500 or more or any 1941 or earlier model new passenger automobile." A certificate issued under this section may not be used to acquire any other new passenger automobile.

No certificate issued under this section shall be charged against the quota of the issuing Board.

Prohibitions

§ 1360.339 Removal of pool stickers. (a) Pool stickers on any of the following types of new passenger automobiles may be removed without specific authorization:

(1) Any ear which has a list price of \$2,500 or more according to OPA Revised Price Schedule No. 85 or any of its amendments; or

(2) Any car with a convertible or soft

(b) A pool sticker on any other new passenger automobile may not be removed except upon authorization of the Office of Price Administration, Washington, D. C. Authorization will be granted in those cases in which it is determined that the automobile is not a pool car and improperly bears a pool sticker. Application for an authorization may be made by letter addressed to the Office of Price Administration, Washington, D. C.

§ 1360.340 Removal of pool sticker does not authorize transfers. No authorization of removal from the pool and no authorization or permission for the removal of a pool sticker shall constitute authority for the transfer of any new passenger automobile.

Effective Dates

§ 1360.442 Effective dates of amendments.

(u) Amendment No. 21 (§§ 1360.310, 1360.339, 1360.340, 1360.374) to Rationing Order No. 2A shall become effective January 5, 1943.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1A; 7 F.R. 562, 698,

Issued this 30th day of December 1942. LEON HENDERSON. Administrator.

[F. R. Doc. 42-14158; Filed, December 30, 1942; 12:17 p. m.]

PART 1381-SOFTWOOD LUMBER [MPR 2901

SITKA SPRUCE LUMBER

In the judgment of the Price Administrator it is necessary and proper to establish specific maximum prices for the sale of Sitka spruce lumber. The Price Administrator has ascertained and given due consideration to the prices of these items and species prevailing between October 1 and October 15, 1941. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 290 is hereby issued.

Sales of Sitka spruce lumber at 1381.451 higher than maximum prices prohibited.

1381.452 To what transactions, products, and persons this regulation applies. 1381.453

Direct-mill retail sales. 1381.454 How to figure delivered prices, including imports.

1381.455 What the invoice must contain. 1381.456

Prohibited practices. Grades, specifications, and extras not specifically priced. 1381.457

1381.458 Petitions for adjustment and amendment.

1381.459 Records and reports.

1381.460 Enforcement and licensing. 1381 461

Relation to other regulations. 1381.462

1381.463

Effective date.

Appendix A: Maximum prices for Sitka spruce lumber.

1381.464 Appendix B: Permitted estimated weights.

AUTHORITY: §§ 1381.451 to 1381.464, inclusive issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F. R. 7871.

§ 1381.451 Sales of Sitka spruce lumber at higher than maximum prices prohibited. (a) On and after January 5, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Sitka spruce lumber for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things. Maximum f. o. b. mill prices are set forth in Appendix A.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1381.452 To what transactions, products, and persons this regulation ap-

*Copies may be obtained from the Office of Price Administration.

plies—(a) What transactions are covered—(1) Only direct-mill shipments covered. This regulation applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(2) How to tell a mill from a distribution yard-(i) General tests. The term "mill", as used here, covers what are known in the trade as sawmills, planing mills, and concentration yards. types of establishments are described below: the first, (a), a typical sawmill or planing mill; the second, (b), a typical concentration yard; and the third (c), a typical distribution yard. An establishment which resembles a typical sawmill or planing mill or a typical concentration yard more than it does a typical distribution yard is considered a mill; and one which resembles a typical distribution yard more than it does a typical sawmill or planing mill or a typical concentration yard is considered a distribution yard.

(a) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; and which makes and sells chiefly Sitka spruce or other West Coast lumber.

(b) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly Sitka spruce or other West Coast lumber: which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near the lumber producing area.

(c) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(ii) New Yards. In order to prevent violation of this regulation by unnecessary routing through yards, the Office of Price Administration will not recognize distribution yards set up after January 5, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose either of this regulation or of any other regulation issued by the Office of Price Administration.

(3) No quantity limits. There are no quantity limits on the transactions covered by this regulation. All direct-mill sales, large or small, are covered.

- (b) What products are covered. This regulation covers all Sitka spruce (Picea sitchensis) lumber, except aircraft grades as defined in Revised Maximum Price Regulation No. 109, Aircraft Lumber, the there the grades, sizes, and specifications are specifically named in the price tables in Appendix A or not. Sitka spruce lumber produced in all parts of the United States and in Canada, but not in Alaska, is covered. All grade terms have the meaning given in the Standard Grading and Dressing Rules, Number 11, issued by the West Coast Lumbermen's Association, effective April 1, 1942.
- (c) What persons are covered. Any person who makes the kind of sale or purchase covered by this regulation is subject to it. The term "person" includes: an individual, corporation, partnership, association, or any other organized groups; their legal successors or representatives; the United States, or any government, or any of its political subdivisions; or any agency of any of the foregoing.
- § 1381.453 Direct-mill retail sales. In the case of "direct-mill retail sales," a mark-up of not more than \$3.50 per 1000 feet board measure may be added to the maximum prices set forth herein. A "direct-mill retail sale" is a sale which meets all of the following provisions as to use, quantity, and services:

 (a) "A direct-mill retail sale" means
- (a) "A direct-mill retail sale" means a sale of lumber direct from the mill to a consumer or contractor for use in building, construction, remodeling, repair, maintenance or fabrication. It does not mean a sale to a wholesaler or other person for resale in substantially the same form.
- (b) It includes only sales of less than 20,000 feet board measure. The size of the sale is determined by the size of the entire order.
- (c) The sale must be accompanied by the following services: delivery to the job site or other place specified by the purchaser and at such time and in such quantity as the purchaser specifies; the privilege of exchanging the goods and returning unused material and the right to have the seller replace deficiencies and adjust complaints from stock kept on hand for such purposes.
- § 1381.454 How to figure delivered prices, including imports—(a) Transportation addition. The transportation charges set forth below may be added to the maximum f. o. b. mill prices.
- (1) Common or contract carrier. When delivery is by contract or common carrier, the following rules govern:
- (i) When the estimated weights in Appendix B are used, the rate times the

estimated weight is the proper transportation charge, even if the estimated weights are higher than actual weights. Higher estimated weights than those in Appendix B may not be used. The estimated weight must be the weight for the exact kind of lumber actually shipped; for example, green weights cannot be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter-dollar per 1,000 feet board measure.

- (ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier, evened out to the nearest quarter-dollar per 1,000 feet board measure.
- (2) Private truck. When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the actual cost to the seller of delivery by truck; and, no matter what the actual cost is, the amount added may not be more than the railroad charge at the carload rate for the most similar haul. However, if this railroad charge is less than \$1.50, and if the actual cost of delivery is more than \$1.50, a transportation charge of \$1.50 may be made.
- (3) Trucking to railhead. When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following three cases a mill may apply for special permission to make an addition:
- (i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;
- (ii) Where the mill prior to the shortage of tires and gasoline shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline;
- (iii) Where a mill's rail connection has been abandoned since September 5, 1941.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

- (4) Truck delivery after rail haul. When truck delivery follows a rail haul, the actual cost of truck delivery may be added.
- (5) All-truck haul. When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in subparagraphs (1) and (2) of this paragraph, since in this case delivery to the job site involves no extra expense.
- (6) "Averaging-out" (i) When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation

charges. For example, if a wholesaler bids \$33.00 on a single order of a hundred thousand feet of lumber, the ceiling price being \$30.00 and the estimated freight \$3.00, he can ship half of it on a rate resulting in a \$1.00 freight charge and half on a rate resulting in a \$5.00 freight charge.

(ii) In order that no single invoice shall appear to be false or over the ceiling, the seller must write on each invoice that the particular shipment is part of a larger order. Then, when shipment has been completed, he must render a final invoice which shows the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so figured with the agreed delivered sale price and also with the maximum price permitted by this regulation.

(iii) In order that it may be determined within a reasonable length of time whether or not a seller has complied with the regulation, this privilege of "averaging-out" shall extend only to shipments delivered to a common carrier within three months of the date of the contract.

(b) Imports from Canada. The transportation addition on shipments originating in Canada shall not be greater than if the shipment had originated at Bellingham, Washington.

§ 1381.455 What the invoice must contain—(a) General. Because of the large number of possible additions to the basic f. o. b. mill prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was legal or not.

Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) Basic price. All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown, except in a few special cases which are specifically mentioned later.

(c) Transportation charges. In delivered sales, the invoice must contain the:

- (1) Point of origin of shipment,
- (2) Destination,
- (3) Rail or truck rate (or, if delivery is by private truck, the amount added for transportation), and
- (4) The words "Direct-mill shipment".
 (d) Delivery and related charges. Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice:
 - (1) Trucking from mill to railhead;(2) Truck delivery after rail haul,
- (e) Direct-mill retail sale. If the price exceeds the basic mill price because of the "direct-mill retail sale" mark-up authorized by § 1381.453, the invoice should show the amount of the mark-up, separately labeled "Direct-mill retail sale".

¹⁷ FR. 10100.

(f) Average price on different items. When specified amounts or percentages of different grades, classes, or sizes of lumber are sold at an average price, it is permissible to invoice at an average price, but only if all of the following conditions are observed:

(1) The footage of each item must be shown separately. For example, if an order of 20 percent No. 1, 60 percent No. 2, and 20 percent No. 3 has been sold at an average price, the exact tally of each grade must appear on the invoice.

(2) If the order is shipped in more than one carload or truckload, the invoice for each carload or truckload must show that it is part of a larger order, and identify the order. For example, the invoice might state: "Shipment No. 3 of our order No. 4444 for 3.000,000 ft."

(3) The average price for the lumber actually shipped must not be higher than the average, weighted by quantity, of the individual maximum prices of the items shipped. In other words, the final price must not be higher than it would have been if all the individual grades, classes, and sizes shipped had been sold separately at the individual ceiling prices.

§ 1381.456 Prohibited practices—(a) General. Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, service transportation arrangements, premiums, special privileges, tying-in agreements, trade understandings and the like.

(b) Specific practices. The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices from what they were in October 1941. This includes decreasing credit periods or making greater charges for extension of credit In any case on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used. In all other sales if cash is paid, the maximum price must be reduced by the same amount as the sale price would have been reduced for a similar cash payment if the same sale had been made on October 1, 1941. For example, if the maximum price without the cash discount is \$10.00 and if in sales of this item on October 1, 1941, to purchasers of a certain class the seller reduced sales prices 2 percent for cash within 10 days. the ceiling price in that kind of sale when cash is paid within 10 days is \$9.80.

(2) Refusing, without good reason, to ship except in specified or restricted random lengths, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths a shipment of lumber which is substantially equivalent to standard or random lengths or widths; or reselling as specified lengths or widths a shipment bought by the seller as standard or random lengths or widths.

(4) Grading as a special grade lumber which can be graded as a standard grade; or wrongly grading lumber in any other way.

(5) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(6) Unnecessarily routing lumber through a distribution yard.

(7) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(8) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 box take all the upper grades that develop.

(c) Purchasing commissions. A purchasing commission based on the quantity or value of lumber purchased may not be charged or paid, if the commission plus the purchase price is higher than the maximum price permitted by this regulation.

(d) Combination grades. Lumber sold on combination grades may not be sold above the maximum price for the lowest grade actually named in the combination. For example, the maximum price for No. 2 box and better is that set for No. 2 box. Of course, the amount of the different grades included can be quoted and invoiced separately at the individual prices for those grades. Also, it is permissible to sell on the basis of a stated percentage of better grades, such as No. 2 with 15 percen No. 1. In this case the price of 15 percent of the footage may be the No. 1 price, if the tally of the lumber actually shipped runs at least 15 percent No. 1. It is also permissible to quote a grade at that grade's price, with higher grades developing to be included at the grade differential. For example, when a seller quotes No. 2 at the No. 2 price, with No. 1 developing to be included at the No. 1 price, this is proper, since no actual dollars-and-cents. quotation above the No. 2 price is made. Again, the final price must be based on actual tally. Note, however, that it is a violation to insist on the buyer's taking grades he does not want in order to get the grade he does want.

(e) Adjustable pricing. A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of the lumber has been completed. But the price may be adjustable to the maximum price in effect at the time of delivery.

§ 1381.457 Grades, specifications, and extras not specifically priced. Grades and classes of Sitka spruce lumber not specifically priced in Appendix A, including export grades, are nevertheless subject to this regulation.

Their maximum price is a price which bears the October 1941 relation to the price of the appropriate "yardstick" grade. The yardstick for upper grades is 10-20' random length green ladder stock, rough, and for common grades is 5/4 No. 1 box, rough, green. The seller should find the difference between the price received for the grade being priced

and the yardstick grade in October 1941. or the first month before that in which he had sales of both grades. This difference is then added to or subtracted from the maximum price for the yardstick grade. The result is the seller's maximum price. This price, with a complete description of the grade and the way the price was computed must be reported to the Office of Price Administration, Washington, D. C. The price may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved. If the seller cannot figure a maximum price under this paragraph, or if he wants to make an addition for a working, specification, service, or other extra which is not specifically provided for, he should write to the Lumber Branch of the Office of Price Administration, Washington, D. C., giving a complete description of the thing to be priced, and his requested price and any facts supporting the request. The Office of Price Admin-istration will then by letter give him either a specific maximum price or instructions on how to compute it.

A seller using this pricing paragraph can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final ap-

proved price.

§ 1381.458 Petitions for adjustment and amendment—(a) Government contracts. (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States". It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price in this regulation is impeding or threatens to impede production of lumber which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6, sissued by the Office of Price Administration.

As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must tell the buyer that the delivery is made subject to this refund.

(b) Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Proce-

^{*7} F.R. 5087, 5664.

dural Regulation No. 1,3 issued by the

Office of Price Administration.

§ 1381.459 Records and reports—(a) Records. All sellers of Sitka spruce lumber must keep records which will show a complete description of the item of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 20,000 feet board measure or more of Sitka spruce lumber. They must be kept for two years, for inspection by the Office of Price Administration. Any records which the Office of Price Administration later requires must also be kept.

(b) Reports. Any reports that the Office of Price Administration requires

must be submitted.

§ 1381,460 Enforcement and licensing. (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal of-

fice in Washington, D. C.

(c) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) All sellers under this regulation, except mills, are licensed by Supplementary Order 18. This order, in brief, provides that a license is necessary, except for mills, to make sales under this reg-A license is automatically ulation. granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

§ 1381.461 Relation to other regulations—(a) General Maximum Price Regulation. Any sale or delivery covered by this Maximum. Price Regulation is not subject to the General Maximum Price Regulation.

(b) Maximum Export Price Regulation. The maximum price for export sales of Sitka spruce lumber is governed by the Revised Maximum Export Price Regulation.5

§ 1381.462 Effective date. (a) This regulation (§§ 1381.451 to 1381.464, inclusive) shall become effective January 5,

(b) If lumber has been received before January 5, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of the General Maximum Price Regulation.

§ 1381.463 Appendix A: Maximum prices for Sitka spruce lumber. The maximum prices for Sitka spruce lumber, f. o. b. mill per one thousand feet board measure, shall be as follows:

TABLE 1-SITKA SPRUCE FLOORING

R/L Dry	B and better		D	Е
1 x 3" and 1 x 4" V. G. 1 x 3" and 1 x 4" F. G. 1 x 6" and 1 x 8" F. G. 54 x 3" V. G. 54 x 3" V. G. 54 x 4" V. G. 54 x 4" F. G. 56 x 4" F. G.	51, 00 73, 00 56, 00 68, 00 55, 00 53, 00	\$59,00 47,00 64,00 52,00 61,00 49,00 49,00 39,00	40.00 42.00 39.00	\$25.00

NOTES ON FLOORING

Lengths. 1. Random lengths as set forth in Standard Grading and Dressing Rules No. 11, par. 30.

2. Omitting short lengths in R/L loading

w	TO! T	brice or are come and with	Precesor
5'	and	shorter	\$0.50
7'	and	shorter	1.00
9'	and	shorter	2.00
10	an	d shorter	3.00
12	and	shorter	4.00
			and the same

3. Specifying lengths add to random lengths price of the same size and grade.

12' and shorter, no addition except \$2.00 per M' for 1 x 4" and 5/4 x 4"-12' in B and better and "C" V. G. or F. G.

Working Charges. 4. For square edge B and better and "C" worked to the same overall size as standard flooring, add \$2.00 per M' to the T & G price of the same size and grade. To include up to 20% "C" deduct \$3.00 per M' from the B and better price of the same size. Weight 200 pounds more than flooring of the same size.

Miscellaneous. 5. For clear all heart V. G. add \$5.00 per M' to the B and better price of the same size and grade.

TABLE 2-SITKA SPRUCE DROP SIDING, ALL PATTERNS, RUSTIC SIDING AND SHIP-LAP

R/L dry	B and better	c	D	E
1x 4" 96 x 6" 1 x 8"	51,00	\$46,00 47,00 52,00 54,00	38.00	22.00 27.00

8431, 8831, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454.

*7 F.R. 5059, 7242, 8829, 9000, 10530.

NOTES FOR SIDING, ETC.

Grain, 1. For V. G. add \$10.00 per M' to same grade and size.

Lengths. 2. Random lengths as set forth in Standard Grading and Dressing Rules No. 11, par. 30.

Omitting short lengths in R/L loading add to R/L price of the same size and grade. 5' and shorter_____ \$0.50

7' and shorter_____ 1.00 9' and shorter_____ 2.00 10' and shorter_____ 3.00 12' and shorter_____ 4.00

4. Specifying lengths add to R/L price of the same size and grade.

12' and shorter_____ No addition 14'________ \$3.00 16', 18' and/or 20'______ 5.00

TABLE 3-SITKA SPRUCE CEILING-ALL PATTERNS

R/L dry	B and better	С	D	E
3½ x 4" 5½ x 4" 5½ x 6" 1 x 4"	43.00 51.00	\$39, 00 39, 00 47, 00 47, 00 52, 00	30,00	\$22,00 22,00 27,00

NOTES ON CEILING

Grain. 1. No addition for grain specifications.

Lengths. 2. Random lengths as set forth in Standard Grading and Dressing Rules No. 11, Par. 30.

3. Omitting short lengths in R/L loading add to R/L price of the same size and grade:

5'	and	shorter	\$0.50
7'	and	shorter	1.00
9'	and	shorter	2.00
10'	and	shorter	3.00
12'	and	shorter	4.00

4. Specifiying lengths add to R/L price of the same size and grade:

12' and shorter	No	addition
14'		
18' 18' and/or 20'		

TABLE 4-SITKA SPRUCE CASING AND BASE, ALL PATTERNS

R/L Dry S4S and R. E.	B and better V. G.	B and better F. G.	o
1 x 3"	\$74.00	\$64, 00	\$60,00
1 x 4"	70.00	58, 00	53,00
1 x 5"	78.00	66, 00	60,00
1 x 6"	73.00	62, 00	57,00
1 x 8"	74.00	62, 00	57,00
1 x 10"	80.00	66, 00	59,00
1 x 12"	85.00	68, 00	61,00

^{56&}quot; Casing and base same price as inch.

NOTES ON CASING AND BASE

Lengths. 1. Random lengths as set forth in Standard Grading and Dressing Rules No. 11, Par. 30.

2. Omitting short lengths in R/L loading add to R/L price of the same size and grade:

5'	and	shorter	\$0.50
		shorter	
9'	and	shorter	2.00
10"	and	shorter	3.00
12'	and	shorter	4.00

^{*7} F.R. 8961

⁴⁷ F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6939, 7093, 7322, 7454, 7758, 7913,

3. Specifying lengths add to R/L price of the same size and grade

12' and shorter __ No addition except \$5.00 per M' addition to random lengths price on 7' and/or 10' of the same grade and size in casing only

16', 18', and/or 20'_ 5.00

4. Specified fractional and odd lengths not listed: Add \$3:00 per M' to the price of, and

compute on the next longer listed length, of the same size and grade.

Widths. 5. Fractional and odd widths not

listed; same price as next wider listed width. footage computed on and using weight for next wider listed width.

6. Wider than 12"; for V.G. add \$5.00 per M' to 12" price for each additional 2"; for F.G. add \$2.50 per M' to 12" price for each

Working Charges. 7. Sanding add \$10.00

8. For less than 2 M board measure add set-up charge of \$3.00 for casing only.

TABLE 5-SITKA SPRUCE FINISH AND CLEARS REGULAR LOADING

R/L rough dry	B and	better	C		D	
A/D rough dry	V. G.	F. G.	V. G.	F. G.	V. G.	F. G.
x 2" x 3" x 4" x 4" x 5" x 6" x 10" x 10" x 12" d wider d 4, 6/4 & 8/4 x 2" d 4, 6/4 & 8/4 x 3" d 4, 6/4 & 8/4 x 4" d 4, 6/4 & 8/4 x 4" d 6/4 & 8/4 x 4" d 6/4 & 8/4 x 10" d 6/4 & 8/4 x 10" d 6/4 & 8/4 x 12"	\$65. 00 70. 00 65. 00 78. 00 78. 00 78. 00 78. 00 75. 00 75. 00 77. 00 72. 00 67. 00 80. 00 97. 00 77. 00 97. 00 97. 00	\$60.00 65.00 60.00 73.00 69.00 73.00 85.00 69.00 69.00 69.00 69.00 67.00 62.00 67.00 62.00 71.00 75.00 87.00 87.00	\$55, 00 00, 00 53, 00 68, 00 64, 00 68, 00 73, 00 85, 00 65, 00 65, 00 65, 00 67, 00 70, 00 70, 00 70, 00 87, 00 67, 00 77, 00 70, 00 87, 00 87, 00 87, 00 87, 00 87, 00 87, 00	\$50. 06 55. 00 63. 00 63. 00 63. 00 63. 00 63. 00 75. 00 60. 00 52. 00 65. 00 65. 00 65. 00 66. 00 65. 00 66. 00	\$45. 00 50. 00 45, 00 58. 00 58. 00 58. 00 63. 00 75. 00 55. 00 55. 00 56. 00 67. 00 60. 00 60. 00 60. 00 65. 00 77. 00 60. 00	\$40, 00 45, 00 53, 00 53, 00 53, 00 55, 00 50, 00 42, 00 42, 00 55, 00 55, 00 55, 00 55, 00 57, 00 57, 00 57, 00 57, 00 57, 00 57, 00 57, 00 57, 00

NOTES ON FINISH AND CLEARS

Condition. 1. Green: Deduct \$10.00 from the dry price.

Lengths. 2. Random lengths as set forth in Standard Grading and Dressing Rules No. 11 par. 30.

3. Specified lengths:

Less than 14'___ No addition to R/L price 14', 16', 18', or

20'_____ Add \$10.00 to R/L price 22', or 24'____ Add \$12.00 to R/L price 26', 28', 30', or

32'_____ Add \$15.00 to R/L price

40'_____ Add \$25.00 to R/L price

- 4. Odd or fractional lengths not listed: Price of and compute footage on next longer even specified length.
- 5. Omitting short lengths in R/L loading add to R/L price of the same size and grade

5' and shorter	\$0.50 per M'
7' and shorter	
9' and shorter	1.00 per M'
10' and shorter	2.00 per M'
12' and shorter	4.00 per M'

6. Restricted Random Lengths, add to R/L price of the same size and grade:

22' to 30' \$10.00 per M' 32' to 40' 20.00 per M'

7. For Surplus Shorts in quantities of 5 M' or more deduct from the R/L price of the same size and grade;

5' and shorter______ \$30.00 per M 6' to 9'______ 20.00 per M 8. Specified widths wider than Widths. listed add to the price of the same size and

V. G. Add \$10.00 for each 2" wider than 12".
F. G. Add \$5.00 for each 2" wider than 12".

9. Odd or fractional widths add \$2.00 to price of and compute footage on next wider width listed

Working Charges. 10. Standard surfacing add \$2.00 per M to rough price same size and grade

11. Sanding: Add \$10.00 per M'

12. Nosing or special patterns not covered: Add \$5.00 to surfaced price same length,

grade and size.

13. T. & G, S2S and CM; add \$1.00 to surfaced price.

Miscellaneous. 14. Door stock (I. E. graded

from poor side): Add \$4.00 per M'.

15. Stepping; use V. G. Rough Dry Price.

16. Tank and pipe stave stock; add \$4.00 per M'

17. Cut Stock; special cut-up stock cut to specified sizes, use R/L price of grade speci-

18. Shims rough or surfaced 5%" thick or less deduct \$10.00 per M'.

TABLE 6-SITKA SPRUCE HEAVY CLEARS-ROUGH GREEN

B and better R/L	8' to	20′ -	22′ t	0 30'	32' to 40'	
Date series AVI	V. G.	F. G.	V. G.	F. G.	V. G.	F. G.
3" & 4" x 3" & 4"	59. 00	54, 00	73. 00	66, 00	84. 00	74, 0
3" & 4" x 6"	68. 00	63, 00	82, 00	75, 00	93. 00	83, 6
3" & 4" x 8"	70. 00	65, 00	84. 00	77, 00	95. 00	85, 0
3" & 4" x 10"	80. 00	70, 00	94. 00	82, 00	105. 00	90, 0
%' & 4'' x 12'' "' x 5'' to 8'' x 12'' "' x 5'' to 12'' x 12'' "' x 5'' to 12'' x 12'' "' & thicker 4'' & Wider	94. 00	82. 00	94.00	94. 00	119. 00	102. (
	80. 00	70. 00	94.00	82. 00	105. 00	90. (
	87. 00	77. 00	101.00	89. 00	112. 00	97. (
	75. 00	65. 00	87.00	77. 00	95. 00	85. (

NOTES ON HEAVY CLEARS

Grade Differentials. 1. "C" Deduct \$10.00 from "B and better."

2. Turning squares: Add \$5.00 per M' to the B and better price.

Condition. 3. Dry: Add to green price:

3" and 4" thickness	
6' to 20'	\$10.00
22' to 30'	15, 00
32' to 40'	
6" thickness	
'6' to 20'	15.00
22' to 30'	
32' to 40'	25.00
8" and thicker	THE SALES
6' to 20'	
22' to 30'	25, 00
32' to 40'	30.00
Lengths, 4 Specified Lengths:	

6' to 20'. Add \$3.00 to R/L price. 22' to 30'. Add \$5.00 to R/L price. 32' to 40'. Add \$7.50 to R/L price.

5. Odd and fractional lengths not listed: Use same price as and compute footage on

next longer even specified length.
6. Longer than 40 feet: Add \$5.00 for each 2 feet to 40 foot specified length price.

Widths. 7. Wider than listed:

V. G. add \$10.00 for each 2" wider than 12" to V. G. 12" price.

F. G. add \$5.00 for each 2" wider than 12" to F. G. 12" price.

8. Odd, and/or fractional: Price of and compute footage on next wider listed width.

Thickness. 9. Odd and/or fractional thickness not listed: Add \$5.00 to price of next less listed size.

Working Charges. 10. Surfacing S2S or

Dry: Add \$3.00 per M' to rough price. Green: Add \$2.00 per M' to rough price. 11. Workings not provided for: Add \$5.00 per M' to rough price.

TABLE 7-SITKA SPRUCE LADDER STOCK PARAGRAPH 582

Rough R/L odd and even	Green	Dry	Green	Dry	
10' to 20'	MG	MG	VG	VG	
4/4 & 8/4 x 3" and wider_	\$100,00	\$110.00	\$110.00	\$120.00	
5/4 & 6/4 x 3" and wider_	110,00	120.00	120.00	130.00	

NOTES ON LADDER STOCK

Lengths. Specified lengths. 1. 10 to 20 feet: Add \$10.00 to R/L price.

2. Over 20 feet: Add differentials shown in footnote 6, table 5, under finish and clears.

Widths. Specified widths. 3. Even and 3" and 5" widths: Add \$5.00 per M'

4. Odd (other than 3" and 5") and frac-

tional widths: Add \$10.00 per M'.

Thickness. 5. Fractional thicknesses: Add \$5.00 to 5/4 price.

6. Full inch: Same as 4/4 price

Working charges. 7. Surfaced: Add \$5.00 to rough price.

TABLE 8-SITKA SPRUCE BEVEL AND BUNGALOW SIDING

R/L dry regular load- ing and bundling	B and better	O	D	E
1½ x 4"—R/L	\$28, 00	\$26, 90	\$23, 00	\$16, 00
½ x 6"—R/L	34, 00	32, 00	29, 00	20, 00
½ x 8"—R/L	43, 00	41, 60	37, 00	25, 00
34 x 8"—R/L	58, 00	54, 00	50, 00	30, 00
34 x 10"—R/L	64, 00	60, 00	56, 00	36, 00

NOTES ON BEVEL AND BUNGALOW SIDING Grain. 1. V.G. Add \$2.00 per M feet to the F. G. price same size and grade.

Lengths, 2. Random lengths, regular loading and bundling as set forth in Standard Grading and Dressing Rules No. 11, paragraphs Nos. 540 and 543.

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TABLE 9-SITKA SPRUCE SHOP

Rough F. G. and/or V. G. R/W and R/L	4/4 x 5 &	wider	5/4, 6/4 & 8 wid	8/4 x 5 & er	10/4 & 12/4 x 5 & wider	
Abugu 1. C. anajor 1. C. A., 11 bas A.	Green	Dry	Green	Dry	Green	Dry
For straight grade of; Select No. 1 No. 2 No. 3	\$38.00	\$48, 00 42, 00 30, 00	\$49,00 36,00 26,00	\$57, 00 44, 00 34, 00 28, 00	\$54.00 41.00 31.00	\$62,00 49,00 39,00 33,00

NOTES ON SITKA SPRUCE SHOP

Grade differentials. 1. Basket spruce and other special grades that contain a preponderance of shop cuttings shall be priced on a basis of not more than 5/4 No. 1 green shop.

2. 4/4 shop when shipped in mixed grades of No. 1 and select; each grade to be involced separately: Deduct \$2.00 per M from price of straight grades of both No. 1 and select.

3. 5/4 and thicker when shipped in mixed grades of No. 2, No. 1, and select; each grade to be invoiced separately: Deduct \$5.00 per M from price of straight grade of select, and \$2.00 per M from straight grades of both No. 1 and No. 2.

Widths. 4. Specified widths: Add \$2.00 per M to R/W and R/L price.

Working charges. 5. Surfaced: Add \$2.00

per M to rough price. Miscellaneous. 6. If rough shop is ordered %" thicker than standard compute footage on actual measure

TABLE 10-SITKA SPRUCE BOX

4/4 and thicker R/W and R/L rough dr	у:
No. 2	\$25.50
No. 3	18.50

NOTES ON SITKA SPRUCE BOX

Condition. 1. Green: Deduct 10% from rough dry price.

Widths. 2. Specified widths add to the

random widths price:

8" and under; no addition.

10" and 12"; add \$1.00 per M' to R/W

price. 14" and wider; add \$2.00 per M' to R/W

Thickness. 3. Less than 4/4, price of 4/4

but compute on net size.

Working charges. 4. Surfaced S2S; add \$1.00 per M' to rough price.

TABLE II-SITKA SPRUCE LATH

4' green or dry	1/4" ence	No. 1	No. 2
Per M pieces	\$6. 25	\$5.00	\$4.00

TABLE 12-SITKA SPRUCE DUNNAGE OR NO. 4 COMMON

Rough or surfaced, green or dry: 1 x AW-AL \$14	. 50
Thicker than 1" x AW-AL	

TABLE 13-SITKA SPRUCE NO. 1 COMMON BOARDS AND SHIPLAP

Green surfaced S4S	R/L 6' to 20'	6'	8'	10'	12'	14'	16'	18'	20'	Add for dry	For select merch, par, 586 add to No. 1 green
1 x 2" 1 x 3" 1 x 4" 1 x 6" 1 x 8" 1 x 10" 1 x 12"	\$33, 00 33, 00 29, 00 29, 00 29, 00 28, 00 30, 00	\$33, 00 33, 00 29, 00 29, 00 29, 00 28, 00 30, 00	\$33,00 33,00 29,00 29,00 29,00 28,00 30,00	\$33,00 33,00 29,00 29,00 29,00 28,00 30,00	\$33,00 33,00 29,00 29,00 29,00 20,60 28,00 30,00	\$34, 50 34, 50 30, 50 30, 50 30, 50 29, 50 31, 50	\$35, 50 35, 50 31, 50 31, 50 31, 50 30, 50 32, 50	\$35, 50 35, 50 31, 50 31, 50 31, 50 31, 50 30, 50 32, 50	\$35, 50 35, 50 31, 50 31, 50 31, 50 30, 50 32, 50	\$4.00 4.00 4.00 4.00 4.00 4.00 4.00	\$4.00 4.00 4.00 5.00 6.00 7.00 8.00

NOTES ON NO. 1 COMMON BOARDS AND SHIPLAP

Grade differentials. 1. No. 2, dry or green: Deduct \$2.00 per 4 from price of No. 1 of same

size, length and condition of seasoning.

2. No. 3, green: Deduct \$8.00 per M from price of No. 1 common green of the same size and length.

3. No. 3, dry: Deduct \$10.00 per M from price of No. 1 common dry of the same size

and length. 4. For No. 1 common permitting up to 15% of No. 2 deduct \$0.50 per M from price of No. 1 common of the same size, length and condi-

tion of seasoning.

Lengths: Omitting short lengths in R/L loading add to R/L price of the same size and grade.

5. Omitting 6': Add \$0.50 to R/L price. 6. Omitting 6' and 8': Add \$0.50 to R/L price

7. Omitting 10' and shorter: Add \$1.00 to R/L price.
8. Omitting 12' and shorter: Add \$2.00 to

R/L price. Long lengths. 9. For specified lengths longer than 20': Add \$1.00 per foot to specified

10. For rough, SIS or SIE specified lengths: Add to the surfaced specified price—\$2.00 per M for 12 feet and shorter; \$3.50 per M for 14 feet and \$5.00 per M for 16, 18 and 20 feet

Widths. 11. Widths wider than 12": Add to the price of 12" of the same grade and length \$2.00 per M for each 2" wider than 12".

12. For odd or fractional widths: Add \$1.00 and compute footage on next wider listed width.

Thickness, 13, For 5/4 and 6/4 No. 1 and select merchantable: Add \$5.00 per M to 1" price of same grade and width; 5/4 and 6/4 No. 2 same as 4/4 No. 1.

Working charges. 14. For surfacing 1/4" off: Add \$1.00 per M feet to the price of the same grade, width, and length.

15. For S1E, S1S or rough random lengths: Add \$1.50 per M to R/L surfaced price.

16. For center matched, flooring, drop siding and other patterns. The following working charges contemplate first adding grade differentials and then specified working charges.

	(Freen	Dry		
	S2S and CM	Flooring, drop siding beaded, and other patterns !	S2S and CM	Flooring, drop siding beaded, and other patterns t	
1" thickness—no droppings allowed 1" thickness—droppings included at no reduction in price 1	\$1.00 .50	\$2.00 1.00	\$1.00 .50	\$2.00 1.00	

17. For ripping or resawing: Add \$1.00 per M product of the piece to be shipped.

TABLE 14-SITKA SPRUCE NO. 1 COMMON DIMENSION

Green rough or S4S A. L. S.	R/L 6' to 20'	6'	8'	9'	10'	12'	14'	16'	18'	20'	22' and 24'	Add for dry
2 x 2" 2 x 3" 2 x 4" 2 x 6" 2 x 8" 2 x 10" 2 x 12"	\$33, 50 30, 50 30, 50 30, 50 29, 50 29, 50 29, 50	\$26, 60 23, 00 23, 00 23, 00 22, 00 22, 00 22, 00		\$35, 50 32, 50 31, 00 30, 50 29, 00 30, 00 30, 00	\$34.00 31.00 30.00 29.00 28.00 28.50 29.00	\$34.00 31.00 30,50 30,50 29,50 30,00 30,00	\$34.00 31.00 30.50 30.50 29.50 30.00 30.00	\$36, 50 33, 50 31, 50 31, 90 29, 50 30, 50 30, 50	\$36, 50 33, 50 31, 50 31, 00 29, 50 30, 50 30, 50	\$36, 50 33, 50 31, 50 31, 60 29, 50 30, 50 30, 50	\$40, 00 37, 00 34, 00 33, 00 31, 50 32, 50 32, 50	\$3, 56 3, 56 3, 56 3, 56 4, 00 5, 50

Notes on No. 1 Common Dimension

Grade differentials. 1. Select merchantable par. 594; Add \$3.00 per M ft. to No. 1 price for same width and length.

2. Scaffold plank par. 598: Add \$20.00 per M ft. to No. 1 price for same width and length.

3. No. 2 green all widths and lengths 24' and shorter: Deduct \$2.00 per M feet from No. 1 green price of same width and length.

4. No. 3, green 24' and shorter, 2 x 2, 2 x 3, 2 x 4, 2 x 6, and 2 x 8" deduct \$8.00 per M ft.; 2 x 10 and 2 x 12" deduct \$9.00 per M ft. from No. 1 green price of same width and length.

5. No. 2 dry, all widths and lengths, 24' and shorter: Deduct \$4.00 per M ft. from the No. 1 dry price of the same width and length.

6. No. 3 dry, 24' and shorter; 2 x 2, 2 x 3, 2 x 4, 2 x 6, and 2 x 8" deduct \$10.00 per M. ft.; and 2 x 10 and 2 x 12" deduct \$11.00 per M ft. from the No. 1 dry price of the same width and length.

7. For No. 1 permitting up to 15% of No. 2: Deduct \$0.50 per M ft. from the No. 1 price of the same width and length.

Condition. 8. For rough dry: Add \$1.00 per M to surfaced dry price.

Lengths. 9. Lengths over 24': Add \$2.00 to the 24' price of the same grade and width for each 2' longer than 24'.

10. Odd or fractional lengths: Add \$1.00

to and compute footage on next longer even

Widths. 11. Wider than 12": Add \$1.00 per M for each 2" wider than 12" to price of 12" width, of the same grade and length

12. Odd or fractional widths: Add \$1.00 to and compute footage on next wider listed

Thickness. 13. Odd or fractional thicknesses over 2" and under 3": add \$3.00 per M to the 3" price of the same width in all grades and lengths from plank and small timber table. Compute footage on actual rough measure.

Working charges, 14. For dimension surfaced 4" of: Add \$1.00 per M ft. to the price

of the same grade, width and length.

15. For center matched, flooring, outgauged and other patterns: the following working charges contemplate first: Adding grade differentials and then the specified working charges:

	Green		-136	Dry	
	C. M. or	Flooring, out- gauged and other patterns	C. M. or	gangod and	
2" thickness, no droppings allowed. 2" thickness, droppings included at no reduction in price i	\$1,00 .50	\$2,00 1,00	\$1.50 .50	\$2, 50 1, 00	

^{1 &}quot;Droppings" contemplate up to 15% in green and up to 20% in dry.

16. For ripping or resawing, not diagonal or tapered; for 2 x 4" add \$2.00 per M; for 2 x 6" and wider add \$1.00 per M. For diag-

TABLE 15-SITKA SPRUCE PLANK AND SMALL TIMBERS

Green rough or S4S	No. 1 common		Sele	ct Mercha	ntable par.	594		
A. L. S.	20' and shorter	22' to 24'	26' to 32'	34' to 40'	20' and shorter	22' to 24'	26' to 32'	34' to 40'
3 x 3 3 x 4 3 x 5 & 3 x 8 3 x 10 & 3 x 12 4 x 4 4 x 6 & 4 x 8 4 x 10 & 4 x 12 6 x 6 & 6 x 8 8 x 8 8 x 8	\$35,00 33,50 32,00 31,50 33,00 32,00 31,50 31,50 31,50	\$37, 50 36, 50 34, 00 33, 50 35, 00 34, 00 33, 50 33, 00 33, 00	\$40, 50 39, 50 35, 50 35, 50 37, 00 35, 50 35, 60 34, 50 34, 00	\$45, 50 43, 50 38, 50 37, 50 40, 50 38, 50 38, 50 38, 50 35, 00 34, 50	\$39, 00 37, 50 36, 00 34, 50 37, 00 36, 00 34, 50 35, 50	\$41, 50 40, 50 38, 00 36, 50 39, 00 38, 00 36, 50 37, 00 37, 00	\$43, 50 42, 50 39, 50 38, 00 41, 00 39, 50 38, 00 38, 50 38, 00	\$48. 56 46. 56 42. 56 40. 56 44. 56 42. 56 41. 06 41. 50 41. 50

¹ For amounts 1 M feet or less: Add \$5.00 set up charge, ² "Droppings" contemplate up to 15% in green and up to 20% in dry.

NOTES ON PLANK AND SMALL TIMBERS

Grade differentials. 1. For scaffold plank paragraph 598: Add \$15.00 per M to No. 1 price for same width and length.

2. For No. 1 permitting up to 15% of No. 2: Deduct \$0.50 per M ft. from No. 1 price of the same width and length.

3. For No. 2: Deduct \$4.00 per M ft. from No. 1 price of the same width and length.

4. For No. 3: Deduct \$7.00 per M ft. from No. 1 price of the same width and length.

Condition. 5. For dry: Add \$10.00 per M ft. to the green price of the same grade, size and length.

Lengths. 6. Regular loading: Random lengths is 8/20'.

7. For specified lengths up to 40': Select merchantable add \$2.00 per M; other grades add \$1.00 per M ft. to the length group price in which the specified length falls.

8. Longer lengths than listed: For specified length 41' to 50' add \$1.00 per foot to the specified 40' price. 51' to 70' add \$2.00 per foot to the 50' specified length price. 71' and

longer add \$3.00 per foot to the 70' specified

length price.
9. For odd or fractional lengths: Add \$1.00 per M feet to, and compute footage on the

next longer even length.

Widths, 10. Widths wider than listed:
Add \$1.00 per M feet for each additional 2" Add \$1.00 per M feet for each additional 2 to the widest listed width. This applies only to thicknesses less than 6 inches. For 6 inches and thicker and wider than listed use prices covered by timber schedule.

Thickness. 11. For odd or fractional thickness and/or widths not covered: Add maximum of \$3.00 per M feet to the next less listed size for one or both conditions. Com-

listed size for one or both conditions. Com-

pute footage on actual rough size.

Working charges. 12. For surfacing 1/4"
off: Add \$1.00 per M feet to the price of the same grade, width and length.

13. Shiplap, T & G, grooved for splines: 3" add \$3.00; 4" add \$4.00; 5" & thicker add \$5.00 per M feet to the surfaced price.

14. For outgauged: Add \$2.50 per M feet to the surfaced price.

15. For diagonal or taper resawing: Add \$5.00 per M feet.

TABLE 16-SITKA SPRUCE TIMBERS

The state of the s	#1 common			Select merchantable par. 594		
Green rough or 848 A. L. S.	20' and shorter	22' to 30'	32' to 40'	20' and shorter	22' to 30'	32' to 40'
6 x 6 & 6 x 8 6 x 10 & 6 x 12 8 x 10 & 8 x 12 10 x 10 & 10 x 12 12 x 12 6 x 14 & 8 x 14 6 x 16 & 8 x 16 6 x 16 & 8 x 18 10 x 14 & 12 x 16 10 x 16 10 x 16 12 x 14 & 14 x 14 14 x 16 & 16 x 16	\$31, 50 29, 50 29, 50 29, 50 29, 50 30, 00 31, 75 34, 00 20, 50 31, 50 83, 75 80, 00 20, 50	\$30, 50 30, 50 31, 50 31, 50 32, 00 33, 75 36, 00 31, 50 33, 50 33, 50 33, 50 31, 50 31, 50	\$31, 00 21, 00 30, 50 30, 50 31, 60 32, 75 35, 00 30, 50 32, 50 34, 75 31, 00 30, 50	\$35, 50 31, 50 31, 50 31, 50 31, 50 33, 00 34, 75 37, 00 32, 50 36, 75 33, 00 32, 50	\$32, 50 32, 50 33, 50 33, 50 36, 60 37, 75 40, 90 35, 50 37, 50 39, 75 30, 70 30, 70 35, 50	\$33.00 33.00 34.00 34.00 35.55 37.2 39.55 35.0 37.0 39.2 35.5 35.5

NOTES ON TIMBERS

Grade differentials. 1. For scaffold plank paragraph 598: Add \$15.00 per M to the price

of No. 1 of the same width and length.

2. For No. 1 permitting up to 15% of No. 2:
Deduct \$0.50 per M feet from the No. 1 price of the same width and length.

3. For No. 2: Deduct \$5.00 per M feet from

the No. 1 price of the same width and length.
4. For No. 3: Deduct \$10.00 per M feet from the No. 1 price of the same width and length.

Lengths. 5. Regular loading: Random length is 8/20'.

6. For specified lengths: In select mer-chantable add \$2.00 per M feet, other grades add \$1.00 to the length group price in which the specified length falls.

7. For lengths longer than listed: Specified lengths 41' to 50' add \$1.00 per foot to the 40' specified length price: 51' to 70' add \$2.00 per foot to the 50' specified length price; 71' and longer, add \$3.00 per foot to the 70' specified length price.

8. Specified odd or fractional lengths; Add \$1.00 per M to, and compute footage

on next longer even length.

9. For 6 x 6 and 6 x 8, 22 and longer refer to Plank and Small Timber Table.

to Plank and Small Timber Table.

Width. 10. For widths wider than listed up to and including 24": Add \$1.00 per M feet for each additional 2" to widest listed width of the same grade thickness and length; wider than 24": Add \$2.00 per M for each additional 2" to the 24" price of the same grade, thickness and length.

11. Odd or fractional widths or odd or fractional thicknesses or both: Add \$1.50 per M feet to next less even size. Compute footage on actual rough measure.

12, For thicker than listed Thickness. sizes up to and including 24": Add \$1.00 per M for each additional 2" to thickest listed M for each additional 2" to thickest listed size of the same grade, width, and length; thicker than 24" add \$2.00 per M feet for each additional 2" to 24" price of the same grade, width and length.

Working charges. 13. For surfacing 1/4" off: Add \$1.00 per M ft. to the price for the

same grade width and length.

14. For surfacing 6" x 10" to 12" x 12", no charge; 6 x 14 to 16 x 16, add \$2.00 per M feet; for sizes larger than listed, add \$5.00 per M feet.

15. For surfacing lengths longer than 40 feet, add \$0.25 per lineal foot to 40 foot price.

GENERAL NOTES

APPLICABLE TO ENTIRE APPENDIX

1. Log cabin siding: Add to price of same grade, size, and seasoning 1" and 2", \$5.00 per M and 3" \$6.00 per M. Machine droppings up to 15% to be included at \$5.00 per M less. For less than 1,000 ft. B.M., add set-up charge of \$5.00.

2. All prices are based on 1,000 feet board measure, except lath. No lumber is sold on

less than 1" count.

3. In the case of random length groups other than those listed, the price shall be computed by determining the quantity falling into each of the listed groups and pricing each quantity at the random price listed for the group into which each such quality

4. All grade, size, and paragraph references contained herein refer to the Standard Grading and Dressing Rules No. 11 (1942), effective April 1, 1942, as published by the West Coast Lumbermen's Association.

5. For bundling: Add \$1.00 per M.

6. Ripping and/or resawing not otherwise provided: Add \$1.00 per M; for diagonal or tapered add \$5.00 per M.

§ 1381.464 Appendix B: Permitted estimated weights. The following esti-mated weights for dry lumber may be used in computing freight charges even though higher than actual weights.

When shipped with a moisture content greater than 19%, the estimated green weights may be used in quoting a delivered price, even though higher than actual weights.

SITKA SPRUCE WEIGHT SCHEDULE

Sitka spruce flooring	Finished thick- ness	Weight per MBM dry, lbs.
1 x 3 & 4*. 1 x 6". 56 x 4".	2552" 2552" 1366" 918"	1, 800 1, 900 2, 000 1, 400

Square edge flooring-Add 200 lb.

Sitka spruce celling, all patterns	Finished thick- ness	Weight per MBM dry, lbs.
14 x 4"	7/10"	1,000
55 x 4"	%16"	1,200
56 x 6"	%10"	1,300
1 x 4"	11/10"	1,500
1 x 6"	28/52"	1,700

Ceiling worked 2552" net-deduct 100 lb. from flooring wt.

Sitka spruce drop siding, rustic, clear shiplap	Finished thick- ness	Weight per MBM dry, lbs.
1 x 4", pat, 119, 121	34"	1,300
1 x 4", pat, 120, 122	34" 34" 34"	1,400
1 x 4", pat. 119, 121 1 x 4", pat. 120, 122 1 x 4", pat. 106	94"	1,500
%x 6", pat. 105, 106, 115, 117, and	9/.11	1,300
rustic.	3/11	1,500
1 x 6", pat. 107, 113, 115, 117, 124 1 x 6", pat, 103, 108, 111, 114, 118 1 x 6", pat. 101, 104, 105, 106, 112,	910" 34" 34"	1, 600
and rustic	34"	1,700
1 x 6", pat. 102, 109, 110, 116, and V rustic	8411	1.800
1 x 8", pat. 116 and shiplap	34"	1,900

8" width-Add 100 lb. to 6" pat.

		I Delivery
Sitka spruce stepping	Finished thickness	Weight per MBM dry, lbs.
54 x 10 & 12" 94 x 10 & 12"	11/16" 1916"	2200 2300
Sitka spruce casing and base	Finished thickness	Weight per MBM dry, lbs.
1 x 3 to 12"	2562" %16"	1900 1600
Sitka spruce bevel and bungalow siding	Finished thickness	Weight per MBM dry, lbs.
14" x 4" & 6" 34" x 8" & 10"	36" x 310" 34" x 316"	800 1100

Sitka spruce lath	Finished thickness	Weight per MBM lbs.
4' green		750 500

Spruce factory	Weight MBM	Weight	MBM
Jumber	S2S Dry, Lbs.	Dry, Lbs.	Green, Lbs.
\$4 x 5 & wider \$4 x 5 & wider \$4 x 5 & wider \$4 x 5 & wider \$4 x 5 & wider	12552", 2,400	2, 800 2, 800 2, 800 2, 860 2, 900 2, 900 2, 900	3, 500 3, 500 3, 500 3, 500 3, 500 3, 500

	Clear or Common		
Spruce log cabin siding	Weight per MBM Dry. Lbs.	Weight per MBM Green, Lbs.	
2"	1, 700 2, 000	2, 000 2, 300	

Spruce clears and ship decking	Weight MBM Dry 848 Std., Lbs.	Weight MBM Green S4S Std., Lbs.
1 x 2" 1 x 3 & 4" 1 x 3 & 4" 1 x 3 & 4" 14" x 3 & 4" 14" x 3 & 4" 15" x 5" & wider 154" x 5" & wider 2 x 2" 2 x 5" & wider 3 x 5 & 3 x 4" 2 x 5" & wider 3 x 5 & 3 x 5 & 3 x 8" 3 x 10, & 3 x 12" 4 x 4, 4 x 5, 4 x 6, & 4 x 8" 4 x 10, & 4 x 12" 6 x 10" 6 x 12" 8 x 10" 8 x 10" 8 x 10" 9 x 12" 10 x 10" 10 x 12" 12 x 12"	1,900 2,100 2,100 2,100 2,100 2,100 1,800 1,900 2,000 2,400 2,500 2,500 2,500 2,700 2,700 2,800 2,800 2,800 2,800 2,900	2, 200 2, 400 2, 600 2, 600 2, 800 2, 500 2, 700 2, 900 2, 700 2, 700 2, 700 2, 700 2, 700 2, 700 3, 100 3, 100 3, 100 3, 100 3, 100 3, 100 3, 100 3, 200
*****	3, 000	3, 300

Spruce Clears	Weight MBM Dry S18 Or S28 Only Lbs.	Weight MBM Green S18 Or S28 Only Lbs.
1" surf. to 74s" 1" surf. to 14s" 1" surf. to 14s" 1" surf. to 5s" 1" surf. to 5s" 1" surf. to 3s" 1" surf. to 3s" 1" surf. to 3s" 1" surf. to 18s' 1" surf. to 18s' 14s" 15s' surf. to 18s' 2" surf. to 25s' 234" surf. to 25s' 234" surf. to 25s' 234" surf. to 25s'	1, 300 1, 500 1, 700 1, 900 2, 000 2, 100 2, 200 2, 300 2, 350 2, 350 2, 350 2, 360 2, 360	1, 550 1, 750 2, 000 2, 200 2, 400 2, 550 2, 750 3, 000 2, 950 3, 100 3, 050 3, 150 2, 950 3, 150 2, 950 3, 150 3,
3" surf. to 25%" 4" surf. to 35%"	2,750	3, 050 3, 050 3, 200

Spruce boards and shiplap	Finished thickness	Weight per MBM dry, lbs.	Weight per MBM green, lbs.
4/4 x 2 & wider Rough or S1E 5/4, 6/4 x 2 & wider Rough or S1E 1 x 2" S4S 1 x 3 & 4" S4S 1 x 6" & wider S4S S1S or S2S	2562" 2562" 2562" 2562"	2, 800 2, 800 1, 800 2, 000 2, 100 2, 200	3, 300 3, 300 2, 200 2, 400 2, 500 2, 600

5/4 & 6/4" S4S Standard—Add 200 lbs. to weight of 1" of same width.

S/L—D&M or C. M.—100 lbs. less than S4S,
Surfaced to 34"—100 lbs. less than 25/a".

Surfaced to 13/a"—add 100 lbs. to 23/a".

1		100	1			
Spruce— Dimension, plank and small tim-	Weight MBM S4S standard		& 818	Weight MBM CM & S1S or S2S standard		
bers	Dry	Green	Dry	Green		
2 x 2" 2 x 3"	1,900 2,000	2, 200 2, 400				
2 x 4"	2, 100 2, 150 2, 150	2, 500 2, 550 2, 550	1,800 1,950 2,000	2,150 2,300 2,400		
2 x 10"	2, 200 2, 200 2, 300	2, 600 2, 600 2, 600	2, 050 2, 050	2, 450 2, 500		
3 x 3" 3 x 4" 3 x 6" 3 x 8"	2, 300 2, 500 2, 500	2, 600 2, 800 2, 800	1, 950 2, 250 2, 300	2, 250 2, 500 2, 600		
3 x 10" 3 x 12" 4 x 4"	2, 500 2, 500 2, 400	2, 800 2, 800 2, 700	2, 350 2, 400	2, 650 2, 700		
4 x 6" 4 x 8" 4 x 10"	2, 500 2, 500 2, 600	2, 800 2, 800 2, 900	2, 300 2, 400 2, 450	2, 600 2, 700 2, 750		
4 x 12" 5 x 5" 5 x 6" 5 x 8" 5 x 10"	2, 600 2, 600 2, 600	2, 900 2, 900 2, 900	2, 500	2, 800		
5 x 10"	2, 600 2, 600 2, 600	2, 900 2, 900 2, 900	2, 450 2, 500 2, 550	2,750 2,800 2,850		

	Weight MBM
	SIS or S4S
to to be stated to the same of	standard
Spruce timbers:	
6 x 6 to 6 x 16" 6 x 18 to 6 x 24"	2900
6 x 18 to 6 x 24"	3000
8 x 8 to 8 x 18"	3000
8 x 8 to 8 x 16" 8 x 18 to 8 x 24"	2100
10 x 10 to 10 x 16"	3100
10 x 18 to 10 x 24"	2100
12 x 12 to 12 x 24"	3100
14 x 14 to 14 x 24"	3100
16 v 16 to 16 v 24"	3100
16 x 16 to 16 x 24" 18 x 18 to 18 x 24"	3100
20 x 20 to 20 x 24"	3200
20 x 20 to 20 x 24	3200
22 x 22 to 22 x 24"	3200
24 x 24"	3200
Rough green	
	Weight MBM
	S4S1/4" off by
	indicated
Spruce dimension, surfaced:	width green
2 x 2"-1/4" off each way	2550
X X X — 14 off pach mon	Open
2 x 4"-1/" off each way	2750
2 x 6"-4" off each way 2 x 8"-4" off each way	2800
2 x 8"-14" off each way	2850
2 x 10"—¼" off each way	2850
2 x 10"—¼" off by ½" off in 2 x 12"—¼" off each way	width 9750
2 x 12"-14" off each way	2850
2 x 12"-1/4" off by 1/2" off in	width 2800
74 02 72 011 111	
Springs plants and timbers	Weight MBM
Spruce plank and timbers, surfaced:	green, 1/4" off
3 x 3	each way
0 X 0	2800
3 x 4	2850
3 x 6, 3 x 8, and 3 x 10	2950
3 x 12	3000
4 x 4	2950
4 x 6	3000
4 x 8, 4 x 10, and 4 x 12	3050
6 x 6	3050
6 x 8 and 6 x 10	3100
6 x 12	3150
8 x 8, 8 x 10 and 8 x 12	3150
10 x 10 and 10 x 12	3150
12 x 12	3200

----- 3200 SHIPPING WEIGHT FORMULA FOR SIZES NOT LISTED

Where surfacing is specified other than standard or where weights are not provided in this list, weight is computed by applying the following weights:

Sitka Spruce Rough Green Clears... 3500 lbs.
Sitka Spruce Rough Dry 1" Clears... 2700 lbs.
Sitka Spruce Rough Dry, Clears over
1" and under 3" in thickness..... 2800 lbs.
Sitka Spruce Rough Dry, Clears
thicker than 3" deduct 200 lbs
from corresponding Green weight
Sitka Spruce Rough Green, all other
grades.......... 3300 lbs. grades___

3300 lbs.

weight.

Issued this 30th day of December 1942.

LEON HENDERSON. Administrator.

[F.R. Doc. 42-14160; Filed, December 30, 1942; 12:18 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 144 Under § 1499.18 (b) of GMPR]

D. J. KELMAN AND CO.

Order No. 144 under § 1499.18 (b) of the General Maximum Price Regulation. D. J. Kelman and Co., 785 Flushing Avenue, Brooklyn, New York—Docket No.

GF3-2622.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1405 Denial of petition for adjustment of maximum prices of cellophane garlands, cellophane wreaths and paper garlands sold by D. J. Kelman and Co. (a) The petition of D. J. Kelman and Co. of 785 Flushing Avenue, Brooklyn, New York, filed November 4, 1942, and assigned Docket No. GF3-2622, requesting permission to increase the maximum prices of cellophane garlands, cellophane wreaths and paper garlands is denied.

(b) This Order No. 144 (§ 1499.1405) shall become effective December 30, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of December 1942.

LEON HENDERSON,

Administrator.

[F. R. Doc. 42-14159; Filed, December 30, 1942; 12:16 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,1 Amendment 4]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new item is added to § 1407.1091 and paragraph (d) of § 1407.1090a is added, as set forth below:

Schedules

§ 1407.1091 Designation of ration periods and of coffee stamps valid therein.

Ration period	Coffee stamp valid during ration period
January 4, 1943, to February 7, 1943, inclusive.	Coffee Stamp No. 28.

Effective Date

§ 1407.1090a Effective dates of amendments. * *

(d) Amendment No. 4 (§§ 1407.1091 and 1407.1090a (d)) to Ration Order No. 12 shall become effective December 30, 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

17 FR. 9710, 10380, 11071, 11072.

Issued this 30th day of December 1942.

LEON HENDERSON,

Administrator.

[F. R. Doc. 42-14168; Filed, December 30, 1942; 4:04 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 288, Amendment 1]

SPECIFIC MAXIMUM PRICES IN ALASKA

Correction

The caption of the document appearing on page 11012 of the issue of Tuesday, December 29, 1942, which reads "MPR 223, Amendment 1," should read "MPR 288, Amendment 1."

Chapter XIII-Petroleum Administration for War

[Petroleum Directive 62]

PART 1525-MARKETING MOTOR FUEL

PROHIBITING USE OF SALES DEVICES IN EXTENDING CREDIT

The use of certain sales devices in connection with the sale of motor fuel by or through retail outlets impairs the most effective utilization of petroleum, and the following operating directive is deemed necessary for the prosecution of the war:

§ 1525.1 Petroleum Directive 62—(a) Definitions. (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Retail outlet" means any place of business where motor fuel is sold at retail, including, but not limited to, any place of business where motor fuel is delivered into the fuel supply tanks of meter vehicles or motor boats.

motor vehicles or motor boats.
(b) Use of sales devices in extending credit prohibited. (1) Commencing January 1, 1943, no person engaged in the marketing of motor fuel shall distribute or use credit cards, courtesy cards, identification cards, receipt books or any other similar sales devices for the purpose of effecting or fostering, directly or indirectly, the extension of credit in the sale of motor fuel to any ultimate consumer by or through any retail outlet: Provided, (i) That such use or distribu-tion shall not be prohibited if the deliveries so to be obtained on credit by any customer are limited to a single retail outlet, (ii) that nothing in this paragraph shall be deemed to prohibit the use of requisition books by governmental agencies in making purchases of motor fuel, and (iii) that nothing in this paragraph shall be deemed to prohibit the use before February 1, 1943 of presently issued credit cards for the purpose of effecting or fostering the extension of credit in the sale of motor fuel by or through any retail outlet to motor vehicles displaying "T" Ration stickers or to motor vehicles operated by governmental agencies.

(2) Commencing January 1, 1943, no person engaged in the marketing of motor fuel shall make unusual or abnormal advances of money, credit or merchandise to any person operating a retail outlet for the purpose of enabling or influencing such person to extend credit in the sale of motor fuel by or through such retail outlet.

(E.O. 9276, 7 F.R. 10091)

Issued this 29th day of December 1942.

HAROLD L. ICKES,

Petroleum Administrator for War.

[F. R. Doc. 42-14167; Filed, December 30, 1942; 2:34 p. m.]

PART 1545—PETROLEUM SUPPLY

[Amendment 2 to Petroleum Administrative Order 1 1]

Section 1545.1 Petroleum Administrative Order 1, Schedule A is hereby amended to read as follows:

SCHEDULE A

DISTRICT ONE-ZONE ONE

[January 1943 (1st to 31st inclusive) quotas expressed in barrels per day]

Supplier	Gaso- line	Kero- sene	Distil- late fuel oil	ual
American Bitumuls Co.			514	
American Minerals Spir-		153	327	82
its Co	2, 668	2, 520	4, 407	Security .
Cities Service Oil Co	3,096	4, 386	6,712	2,632
Crown Central Petrole-	500		-	
um Corp First National Corp	146	37	170	
First National Corp			192	6, 161
Gulf Oil Corp Hartol Products Corp	5, 536	8, 035	11, 943	0, 101
Hartol Products Corp	948	3, 437	2, 381	5, 826
Jones & Co				U, OAU
		479	678	besselve
Pacific Oil Co		787	961	
Pan-American Petrole-			0.577	
um and Transport Co.	4, 284	8, 488	6, 961	16, 783
Petrol Corp. Petroleum Heat & Power	302			
		11/2	1 010	Water and
Co		7 7000	1, 248	******
Quincy Oil Co	230	1,026	2, 289	
Richfield Oil Corp	1,894	410	453	281
Royal Petroleum Corp Shell Oil Co	3, 907	4, 498	5, 746	2, 533
Sinclair Refining Co	984	1,414	1, 637	
Socony-Vacuum Oil	-	1	- Simon	Name of Street
Corp	12, 465	10.415	15, 702	4,833
Standard Oil Co. of N. J	5, 591	9, 363	15, 187	11,971
State Fuel Co	******	2,013	563	361
Sun Oil Co	4, 252	52	2,606	
Texas Co	5, 294	7, 584	99	4, 520
		4.047	2,839	2
United Refining Co	4, 737	The state of the s	2,000	
Valvoline Oil Co		1 44		
White Fuel Corp.		0.000	4, 655	

DISTRICT ONE-ZONE TWO

Allegheny Refiners Co	29	85	7	******
American Mineral Spirits Co		1, 448	3, 941 838	2,909 1,056
Asiatic Petroleum Co Atlantic Refining Co Crown Central Petro-		3, 369	13, 639	14, 781
leum Co	477 3, 940	485 2, 603	1,857 7,410	6, 431
Continental Oil Co First National Oil Corp	1, 249	89 1, 150	292 6, 924	445
Frontier Fuel Oil Corp	10, 820	3, 606	17, 334	250 22, 357
Hambleton Terminal	58	30		
Hartol Products Corp Hess Brothers		2, 768 1, 765	3, 415	342
Jones & Co		A	0,001	81
Kendall Refining Co Maritime Petroleum Corp	Aller and the same		P. C. Stern	
And the second second second				

¹⁷ F.R. 10791, 11012.

^{*}Copies may be obtained from the Office of Price Administration.

SCHEDULE A—Continued
DISTRICT ONE—ZONE Two—Continued

[January 1943 (1st to 31st inclusive) quotas expressed in barrels per day!

Supplier	Gaso- line	Kero- sene	late	Resid- ual fuel oil
Pan-American Petro- leum and Transport Co Patterson & Co Pennsylvania Refining Co Pennzoli Co Petrol Corp. Petrol Corp.	6, 292	2, 255	5,365 982 173 4	8, 547 2, 796 678
Co., Inc. Pure Oil Co. Quaker State Oil Refining Co., Pennsylvania Richfield Oil Corp. Royal Petroleum Corp. Shell Oil Co., Inc. Sinclair Refining Co. Socony Vacuum Oil Co. Someborn Sons, Inc. Standard Oil Co. of N. J. Sun Oil Co.	823 52 4, 568 139 5, 137 4, 681 15, 151 2 20, 945 10, 366	1,769 729 1,733 1,305 1,420 3,026 7,031 7,063 1,731	4, 138 2, 035 2, 703 5, 204 4, 249 8, 163 8, 476 26, 104 224 37, 691 12, 979	2, 398 1, 093 2, 932 11, 030 14, 340 42, 002 9, 939
Texas Co. Tidewater Associated Oil Co. United Ref. Co. Valvoline Oil Co. Bradford Penn. Ref. Co The Ashland Oil & Refining Co.	12, 245 7, 806 29 9	2, 391 5, 152 3 241	234 13, 074 119 10 100	3, 319 6, 128

DISTRICT	ONE-ZO	NE THREE
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American Bitumuls Co.			889	150
American Mineral Spir-	1000			The same
its Co.		48		******
Arkansas Fuel Oil Corp.	494	528		*******
Atlantic Refining Co	1, 218	605	274	570
Cantelou (S. D.) Petro-	1			1
leum Products		1002550		59
Cities Service Oil Co	340	102	118	******
Continental Oil Co	1,084	58	534	1,022
Elk Refining Co	89	33	-21222	
Gulf Oil Corp	3, 075	497	2, 386	3, 152
Martol Products Corp				
Pan-American Petro-				
leum and Transport	F 00F	more.	A	W Wash
Co	5, 685	785	3, 083	1, 213
Patterson & Co., Inc	070	******		77
Petrol Corp	916	532	1, 180	838
Petroleum Heat and	2		004	
Power Co., Inc.	980	262	324	
Pure Oil Co.	980	202	648	4
Quaker State Oil Refin-				2.7
ing Corp. of Penn	900	307	000	
Republic Oil Refining Co.	380	184	282	
Richfield Oil Corp.	2, 366	229	1, 410	******
Shell Oil Co., Inc.	1,626	621	1,839	744
Sinclair Refining Co	1,372	441	1, 083	2,372
Standard Oil Co. of N. J.	10, 559	2, 449	9, 160	18, 888
Sun Oil Co	1, 152	14	615	317
Texas Co	4, 285	1, 211	205	245
Tide Water Associated	P00	20	-	
Oil Co.	539	63	28	
Valvoline Oil Co.	28	8	34	******
The Ashland Oil & Re-	100	100	440	1000
fining Co	193	40	410	******
			-	-

DISTRICT ONE-ZONE FOUR

Arkansas Fuel Oil Corp. Atlantic Refining Co Continental Oil Co Elk Refining Co	849 1, 084 345	356 344 47	60 51 13 609	57
Gulf Oil Corp. Pan-American Petrole-	4, 687	999	128	531
um and Transport Co Pure Oil Co	1, 753 2, 270	401 512	489 133	
Republic Oil Refining Co. Richfield Oil Corp. Riverside Terminal Co.	\$83 • 56 302	361 16 531	1	
Shell Oil Co., Inc	2,397	628	335 722	4
Standard Oil Co. of N. J. Texas Co.	8, 733 3, 492	786 37	2, 221 217	1, 547 122

DISTRICT ONE-ZONE FIVE

Arkansas Fuel Oil Corp. Atlantic Refining Co	1.018	692 56	49 100	
Belcher Oil Co			737	3, 339

SCHEDULE A—Continued

DISTRICT ONE—ZONE FIVE—Continued

[January 1943 (1st to 31st inclusive) quotas expressed in barrels per day]

Supplier	Gaso- line	Kero- sene	late	Resid- ual fuel of
Continental Oil Co	49			1050
Gulf Oil Corp. Orange State Fuel Oil	5, 340	859	957	5, 355
Corp Pan-American Petrole-	1, 453	401	68	
um & Transport Co	1,999	332	600	3, 767
Pure Oil Co	4, 013	655	609	1, 348
Co	485	108		
Shell Oil Co., Inc.	1, 767	252	194	510
Sinclair Refining Co Southeastern Oil Co	2, 652 136	644 30	652	
Standard Oil Co. of Ky Standard Oil Co. of New	6, 533	1, 424	2, 714	5, 318
Jer	*******	******	1	1
Sun Oil Co	673	17	1	
Texas Co	3, 361	556	262	969

DISTRICT ONE-ZONE SIX

	Maria Company	Marie Marie		
Alleghany Refiners Co	777	pm	104	000
Atlantic Refining Co	5, 205	67	104	263
Bradford Penn Refining	0, 200	630	432	
Corn	192	00	000	17.00
Canfield Oil Co	27	92 68	233	
Cantelou (S. D.) Petro-	20	00	118	
leum Products	49	59	202	
Carbide & Carbon	20	99	207	96
Chemical Corp.	67		100	-
Cities Service Oil Co	690	259	407	7
Continental Oil Co	23	209	461	20
Continental Refining Co.	205	0	8 28	26
Crown Central Petro-	200		20	
leum Corp	422	anna.	72	- manufacture
Elk Refining Co	710	154	- 20	42
Freedom Oil Co	339	460	37	49
Frontier Fuel Oil Corn	636	333	875	
Gulf Oil Corn	5,002	404	706	2, 440 2, 313
Gulf Oil Corp. Hambleton Terminal	- cy 002	303	100	2,010
Corp	437	98	187	33
Hartol Products Corp	26	80	33	00
Kendall Refining Co	1, 134	279	106	
Maritime Petroleum	1, 101	200	100	accepted.
Corp		42	11 11	1000
Pan-American Petro-	2500000	200	1000000	-
leum and Transport				013
Co	3, 493	142	204	and the same
Pennsylvania Refining			202	******
Co	249	300	215	SULPHANE TO
Pennzoil Co	1,875	171	312	146
Pure Oil Co	643	103	280	1,012
Quaker State Refining	The same to		-	21.000
Corp. of Penn	1, 546	708	176	144
Republic Oil Refining	- Park	199		5270
Co	264	3	3	
Richfield Oil Corp	922	148	180	333333
Shell Oil Co., Inc.	247	65	76	11
Shell Oil Co., Inc Sinclair Refining Co	1,929	657	428	692
Socony-Vacuum Oil Corpl	4, 949	1, 435	1, 766	1, 836
Sonneborn Sons, Inc	112	******	232	100000000000000000000000000000000000000
Standard Oil Co. of N. J	7, 499	682	741	22
Sun Oil Co	5, 184	27	337	480
Texas Co	3, 097	332	5	14
Tide Water Associated	-			- Heren
Oil Co	872	29	61	******
United Refining Co	769	E39	107	76
Valvoline Oil Co	148	51	238	
Waverly Oil Works Co.	167	240	142	
Wolf's Head Oil Refining	344	100	H POL	
Co	125	64	72	14
The Ashland Oil & Re-	3 700		-	
fining Co	1, 568	65	547	

(b) This amendment shall take effect on January 1, 1943.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of December 1942.

RALPH K. DAVIES,

Deputy Petroleum Administrator

for War.

[F. R. Doc. 42-14199; Filed, December 31, 1942; 11:52 a. m.]

TITLE 35-PANAMA CANAL

Chapter I-Canal Zone Regulations

PART 29—REGULATIONS UNDER TRADING WITH THE ENEMY ACT

CARRYING OF COMMUNICATIONS OUTSIDE REGULAR COURSE OF MAILS

I. Provisions of Statute

1. Section 3 (c) of the Trading with the Enemy Act approved October 6, 1917 (40 Stat. 412), provides that it shall be unlawful:

For any person (other than a person in the service of the United States Government or of the Government of any nation, except that of an enemy or ally of enemy nation, and other than such person or classes of persons as may be exempted hereunder by the President or by such person as he may direct), to send, or take out of, or bring into, or attempt to send, or take out of, or bring into the United States, any letter or other writing or tangible form of communication, except in the regular course of the mall; and it shall be unlawful for any person to send, take, or transmit, or attempt to send, take, or transmit out of the United States, any letter or other writing, book, map, plan, or other paper, picture, or any telegram, or other paper, picture, or any telegram, or dily of enemy: Provided, however, That any person may send, take, or transmit out of the United States anything herein forbidden if he shall first submit the same to the President, or to such officer as the President may direct, and shall obtain the license or consent of the President, under such rules and regulations, and with such exemptions, as shall be prescribed by the President.

- 2. Under section 16 of the Trading with the Enemy Act any person bringing, or attempting to bring, into the United States any letter or other writing or tangible form of communication except in the regular course of the mail, is subject upon conviction to a fine of not more than \$10,000 or to imprisonment for not more than ten years, or both, and the letter or other form of communication so brought in or attempted to be brought in is subject to seizure and forfeiture. Any person who sends or takes. or attempts to send or take from the United States any letter or other writing or tangible form of communication except in the regular course of the mail without a license therefor, is subject to a like penalty and the letter or other form of communication involved is subject to seizure and forfeiture.
- 3. Section 2 of the Trading with the Enemy Act of October 6, 1917 defines the words "United States" to mean "all land and water, continental or insular, in any way within the jurisdiction of the United States or occupied by the military or naval forces thereof," thereby including the Canal Zone.

II. Delegations of Authority

- 4. Section XI of Executive Order No. 2729-A of October 12, 1917, is in part as follows:
- I further hereby vest in the Secretary of the Treasury the executive administration of

the provisions of subsection (c) of section 3 of the Trading with the Enemy Act relative to sending, or taking out of, or bringing into, or attempting to send, take out of, or bring into the United States any letter, writing, or tangible form of communication, except in the regular course of the mail. * * And said Secretary of the Treasury is hereby authorized and empowered to issue licenses to send, take, or transmit out of the United States anything otherwise forbidden by said subsection (c) and give such-consent or grant such exemption in respect thereto as is not inconsistent with law or to withhold or refuse

- 5. Paragraph (3) of T.D. 50536 (6 F.R. 6807) dated December 24, 1941, as modified by T.D. 50763 (7 F.R. 9478) issued by the Acting Secretary of the Treasury and approved by the President August 14, 1942, provides as follows:
- I hereby designate the Governor of the Panama Canal to act as the agency of the Secretary of the Treasury to administer and to issue licenses (except licenses to send, take, or transmit out of the United States any letter, writing or tangible form of communication intended for or to be delivered, directly or indirectly, to an enemy or ally of enemy) in respect of the authority vested in the Secretary of the Treasury under Article XI of said Executive Order relative to sending, or taking out of, or bringing into, or attempting to end, take out of, or bring into, the Canal Zone any letter or other writing or tangible form of communication except in the regular course of the mail. The authority conferred by this subparagraph (3) may, in the discretion of the Governor of the Panama Canal and by his direction, be exercised also by and through any official or officials of the Canan Zone designated by the Governor of the Panama Canal may from time to time revoke any designation previously made by him and make any new designation.

III. Governor's Regulations

Pursuant to the authority conferred by sections 11 and 13 of Executive Order No. 2729-A dated October 12, 1917, and T.D. 50763 approved August 14, 1942, the following regulations are hereby prescribed for the enforcement of the provisions of the statute and order quoted above in the Canal Zone:

§ 29.1 Governor's regulations. (a) Every person arriving in the Canal Zone from any foreign country (except persons in the service of the United States Government or the Government of any nation other than Japan, Germany, Italy, Bulgaria, Roumania, Hungary and Albania, when such persons are travelling on official busines of their governments) shall be required to declare to customs officers, any letters or other tangible form of communication, carried on his persons or in his baggage, or otherwise brought with him or under his control.

(b) Customs officers examining arriving passengers and baggage shall, in addition to the usual customs examination, make a particular search to discover any letters or other tangible forms of communication and shall examine any such letters or other forms of communication so declared, or which may be found on the persons or in the baggage of such passengers, or which may have been brought into the Canal Zone

otherwise than in the regular course of the mails.

(c) If it appear that any letter or other tangible form of communication is being brought into the Canal Zone with intention to evade or violate the law, or if it appear that the effect of bringing such letter or other form of communication into the Canal Zone would be inimical to the interests of our Government, or in the interests of its enemies, the customs officer shall detain any person having such letter or communication in his possession or under his control, and immediately report the facts to the Chief of Customs, for appropriate action.

(d) If it appear that any letter or other tangible form of communication is being brought into the Canal Zone without intention to evade or violate the law, and that the effect of bringing such letter or other form of communication into the Canal Zone would not be inimical to the interests of our Government or in the interests of its enemies, the Chief of Customs may license the bringing of such letter or other form of communication into the Canal Zone, in which case there shall be placed thereon the license, with the date, the name of the port, and the initials of the Chief of Customs or other authorized officer; and such letter or other form of communication may then be released provided there are affixed thereto the appropriate United States or Canal Zone postage stamps if the transmittal of the letter or other communication outside the mails is of such nature that the laws of the United States or of the Canal Zone require the use of such stamps.

(e) Any person to whom a license is refused by the Chief of Customs may appeal from such decision to the Governor, through the Chief, Division of Civil Affairs, stating all the facts relied upon to show that the decision of the Chief of Customs should be reversed.

(f) Customs officers shall require every person departing from the Canal Zone (except persons in the service of the United States Government or of the Government of any nation other than Japan, Italy, Germany, Bulgaria, Hungary, Roumania and Albania, when such persons are travelling on official business of their governments) to declare any letters or other tangible form of communication carried on his person, or contained in his baggage or otherwise brought with him or under his control. When such action is deemed necessary, customs officers shall also search the person and baggage of such persons departing from the Canal Zone for any letter or other form of communication.

(g) If any letter or form of communication be found which is not covered by a license issued pursuant to section XI of E.O. 2729-A or T.D. 50536 as modified by T.D. 50763, or other proper authority, the customs officers shall take possession of it, and deliver it to the Chief of Customs at the port from which the letter was to be taken out of the Canal Zone, for disposition.

(h) If upon investigation the Chief of Customs is satisfied that such letter or other form of communication was being

taken out of the United States without any intention to violate or evade the law. and if such letter or other form of communication is not intended for or to be delivered to an enemy or ally of an enemy, and without any intention to injure the interests of the United States, then he may grant a license for the taking of such letter out of the Canal Zone as provided in section XI of E.O. 2729-A or T. D. 50536 as modified by T. D. 50763, or he may cause the letter to be surrendered for posting in the regular mails, in which event he shall collect a corresponding amount of postage from the person in whose possession or control it was found, and shall affix postage stamps on the envelope and cause it to be posted in the regular mails.

(i) If such letter or other form of communication is intended for, or to be delivered to an enemy or an ally of an enemy, and a license therefor has not been issued pursuant to proper authority. the Chief of Customs shall hold it in his possession until he is instructed concerning its disposition. If the Chief of Customs finds on investigation that such letter or other form of communication is being taken out of the Canal Zone with intention to violate or evade the law, or if the effect of taking it out would be to injure the interests of the United States or to advance the interests of its enemies, he shall sieze such letter or other form of communication and detain the person in whose possession it was found, or who had it under his control, and shall report the facts for appropriate

(j) In connection with the examination of imports and exports for customs and control purposes, cus ms officers shall be alert to detect any letter or other tangible form of communication brought into or intended to be taken out of the Canal Zone, contrary to law, and if such be found, shall take possession of it and submit it to the Chief of Customs for

disposition. (k) These restrictions apply also to the officers and crews of ships and aircraft, and to company and consignee's mail. Upon arrival of ship or aircraft, all company or consignee's mail and other forms of communication in the possession of the officers or crew shall first be presented to the customs for examination. Prior to the departure of ship or aircraft, company and con-signee's mail shall be submitted to the customs for examination and after inspection such mail shall be sealed and stamped with an appropriate notation indicating that its departure is licensed. Similarly, pursers and ships' agents shall deliver to customs officers, all communications mailed on board ships, with a corresponding amount of postage, and the Chief of Customs shall cause such communications to be posted in the regular mail.

(1) Licenses to take or send from the Canal Zone any letter or other tangible form of communication otherwise than in the regular course of the mails may be granted, if such letter or other form of communication is not inimical to the interests of the United States or is not intended for, or to be delivered to an enemy or ally of an enemy, upon compliance with the following procedure.

(m) Any person desiring to take or send from the Canal Zone such letter or other form of communication otherwise than through the regular course of the mails shall file an application therefor with the Chief of Customs at the port at which such letter or other form of communication is to leave the Canal Zone, or with the Chief of Customs nearest the place of residence of such person,

(n) Such application shall contain a full statement of the reasons why it is necessary or desired to send such communication otherwise than in the regular crurse of the mail and shall have attached thereto the actual letter or other form of communication which it is desired to send or take from the Canal Zone, and if in a language other than Spanish or English, a translation thereof.

(o) If the Chief of Customs receiving such application is satisfied that a good reason exists for the taking of such letter or other form of communication otherwise than through the regular course of the mail, and that such action will not be inimical to the interests of the United States, he shall stamp the letter or other form of communication with an appropriate notation indicating that the sending or taking out of the Canal Zone of such letter or other form of communication is properly licensed, and return it to the applicant, who shall declare and exhibit it to the customs officer who examines his baggage at the time of his departure.

(p) If the Chief of Customs to whom application had been made is of the opinion that the granting of any application for a license will be inimical to the interests of the United States, or if he is of the opinion that there is not sufficiently strong evidence to support applicant's request to send or take out of the Canal Zone any letter or other form of communication otherwise than through the regular course of the mails, he shall refuse to grant the license.

(q) Any person to whom license is refused by any Chief of Customs may appeal from such decision to the Governor through the Chief, Division of Civil Afairs. Such appeal shall state all the facts required to be stated in the application for license and any additional facts or reasons the applicant may con-

sider pertinent to show why the decision of the Chief of Customs concerned should be reversed.

(r) A general license extending over a period of time may be granted upon application made to the Governor and its being shown that the granting of such a general license is necessary to the orderly transaction of the applicant's business, and is not contrary to the interests of the United States. Each application for such a license shall state all the facts required to be stated in an application for an individual license and such additional facts as may be relied upon to show why a general license should be granted, and shall be filed with the Chief of Customs at the port of entry from which the communications are to be sent. Such applications shall be forwarded to the Chief, Division of

Civil Affairs by the Chief of Customs after an investigation of the facts, with his report and recommendation, and the Chief, Division of Civil Affairs shall forward the application with all accompanying papers and his recommendation to the Governor through the Executive Secretary. Such general license, when granted, will be issued through the Chief of Customs at the port at which the application was filed, and the applicant will be notified of the granting thereof.

(s) In case of doubt, the Chief of Customs shall refer any application to the Chief, Division of Civil Affairs for inves-

tigation and directions.

(t) Any license issued pursuant to these regulations may be revoked at any time.

(u) Each Chief of Customs shall report to the Chief, Division of Civil Affairs all licenses granted by him, stating the name, occupation, and address of each sender and addressee, and the nature and subject matter of the communication licensed.

(v) Chiefs of Customs shall not issue licenses for any letter or other tangible form of communication intended for or to be delivered to an enemy or ally of an enemy, whether to be sent outside the regular course of the mail, or otherwise

GLEN E. EDGERTON, Governor,

DECEMBER 19, 1942.

[F. R. Doc. 42-14151; Filed December 30, 1942; 10:51 a. m.]

TITLE 46—SHIPPING

Chapter I-Bureau of Customs

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

[T.D. 50794]

TRANSPORTATION OF COAL BETWEEN NORFOLK, VA., AND EASTPORT, MAINE

WAIVER OF ENTRANCE AND CLEARANCE LAWS

DECEMBER 28, 1942.

Entrance and clearance laws waived for certain foreign-flag vessels transporting coal between United States ports in the range between Norfolk, Virginia, and Eastport, Maine, until and including April 30, 1943.

Waiving compliance with the provisions of the navigation laws relating to entrance and clearance of vessels.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of the navigation laws relating to the entrance and clearance of vessels to the extent necessary to permit foreign-flag vessels which are under time charter to the War Shipping Administration and which are engaged in the transportation of coal between United States ports in the range between Norfolk, Virginia, and Eastport, Maine, to be accorded the same treatment with respect

to report of arrival, entrance, clearance, coastwise permits to proceed, and manifests, as is accorded enrolled or licensed vessels of the United States engaged in the same trade. I deem that such action is necessary in the conduct of the war.

This order shall be effective until and including April 30, 1943, only.

HERBERT E. GASTON, Acting Secretary of the Treasury.

[F. R. Doc. 42-14170; Filed, December 30, 1942; 4:01 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

Note: An order of the Interstate Commerce Commission modifying the classification of operating revenues and operating expenses, dated December 16, 1942, effective January 1, 1943, was filed with the Division of the Federal Register December 30, 1942, at 11:38 a.m., F.R. Doc. No. 42-14153. Requests for copies may be addressed to the Interstate Commerce Commission.

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

Note: An order of the Interstate Commerce Commission modifying the classification of investment in road and equipment, dated December 16, 1942, effective January 1, 1943, was filed with the Division of the Federal Register December 30, 1942 at 11:38 a.m., F.R. Doc. 42–14152. Requests for copies may be addressed to the Interstate Commerce Commission.

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

Note: An order of the Interstate Commerce Commission modifying the classification of income, profit and loss, and general balance sheet accounts, dated Lecember 16, 1942, effective January 1, 1943, was filed with the Division of the Federal Register December 30, 1942 at 11:38 a. m., F.R. Doc. No. 42-14154. Requests for copies may be addressed to the Interstate Commerce Commission.

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

Note: An order of the Interstate Commerce Commission modifying the interpretations of accounting classifications, dated December 16, 1942, effective January 1, 1943, was filed with the Division of the Federal Register December 30, 1942, at 11:38 a. m., F.R. Doc. No. 42–14155. Requests for copies may be addressed to the Interstate Commerce Commission.

Notices

WAR DEPARTMENT.

FIXED TEXT RADIO, CABLE, AND SENDER'S COMPOSITION MESSAGES FOR ARMED FORCES STATIONED OUTSIDE U. S.

ACCEPTANCE OF MESSAGES TO AND FROM AMERICAN RED CROSS PERSONNEL

DECEMBER 14, 1942.

In addition to information contained in Circular No. 378, War Department, 1942, relative to fixed text radio, cable, and sender's composition messages for armed forces stationed outside U.S., arrangements have been made for the acceptance of EFM to and from personnel of the American Red Cross receiving their mail through oversea APO's. The conditions of acceptance for EFM to and from personnel of the American Red Cross are the same as for EFM to and from members of the armed forces except that the word "AMCROSS" will be used in the address in lieu of the Army serial number on outgoing messages. (R.S. 161; 5 U.S.C. 22) [Cir. 404, W.D., Dec. 14, 19421

[SEAL]

J. A. UL10, Major General, The Adjutant General.

[F. R. Doc. 42-14176; Filed, December 31, 1942; 9:31 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. 490-FD, 1227-FD, 1560-FD, 1613-FD, 1877-FD, C-4, C-10, C-16, C-18]

PUBLIC SERVICE CO. OF INDIANA MEMORANDUM OPINION AND ORDER

In the matter of the applications of Public Service Company of Indiana for a determination of the status of the coal produced at the Dresser Mine, Vigo County, Indiana, in District 11, pursuant to section 4-A of the Bituminous Coal Act of 1937.

Pursuant to an agreement dated December 30, 1936, and expiring on December 31, 1942, Walter Bledsoe & Company has mined coal at the Dresser Mine of Public Service Company of Indiana, Inc., in Vigo County, Indiana, District No. 11. The commerce in the coal thus mined is the subject matter of applications for exemption filed in each of the above dockets by Public Service Company of Indiana, Inc., or its predecessor.

On December 26, 1942, Public Service Company of Indiana, Inc., filed a supplemental application for determination of status and Walter Bledsoe & Company, which is deemed to be an intervenor in the above dockets, filed a similar application. These applications recite that the agreement whereby Walter Bledsoe & Company mines coal at the said

Dresser Mine expires on December 31, 1942, and that on December 23, 1942, a supplemental agreement was entered by the two companies to extend the agreement of December 30, 1936, with certain modifications, until December 31, 1943. Copies of the said supplemental agreement and of an agreement for the sale of coal by Walter Bledsoe & Company to Public Service Company of Indiana, Inc., also dated December 23, 1942, have been submitted with the supplemental applianted.

The supplemental applications request that an order be entered to provide that such interim exemptions as Public Service Company of Indiana, Inc., and Walter Bledsoe & Company may be entitled to under the second paragraph of section 4—A of the Bituminous Coal Act of 1937 with respect to commerce in the coal produced at the said Dresser Mine be continued in effect as though the agreement dated December 30, 1936, had been scheduled to expire on December 31, 1943, rather than on December 31, 1942.

An examination of the agreements dated December 23, 1942, indicates that the changes contemplated in the arrangement heretofore existing under the agreement dated December 30, 1936, for the mining of coal at the said Dresser Mine are not so substantial as to render moot the applications and intervening petitions in the above dockets or any proceedings heretofore held therein, or as to necessitate the filling of additional applications for exemption because of the modifications of the agreement dated December 30, 1936.

Now, therefore, it is ordered, That any interim exemption applicable to the commerce in the coal produced at the Dresser Mine of Public Service Company of Indiana, Inc., in Vigo County, Indiana, District No. 11, is continued in full force and effect until December 31, 1943, or until the final determination on the above dockets, or until further change in the agreement under which Walter Bledsoe & Company mines coal at the said Dresser Mine, whichever is soonest.

This order is not intended nor shall it be construed to express any opinion with respect to the legal sufficiency or propriety of either of said agreements dated December 23, 1942, or with respect to the merits of the applications for exemption filed in the above dockets.

Dated: December 30, 1942.

[SEAL] DAN H. WHEELER, Director.

[F. R. Doc. 42-14178; Filed, December 31, 1942; 10:55 a. m.]

General Land Office.

[Public Land Order 70] *
California

WITHDRAWING PUBLIC LAND FOR USE OF THE NAVY DEPARTMENT AS A MARINE CORPS AIR BASE

By virtue of the authority vested in the President and pursuant to Executive

Order No. 9146 of April 24, 1942; It is ordered as follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the Navy Department as a Marine Corps air base:

SAN BERNARDINO MERIDIAN

T. 11 N., R. 12 W., sec. 10, $N\frac{1}{2}$. The area described contains 320 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described land.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior, when it is no longer needed for the purpose for which it is reserved.

Acting Secretary of the Interior.

December 16, 1942.

[F. R. Doc. 42-14173; Filed, December 31, 1942; 9:31 a. m.]

[Public Land Order 72]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEFENSE PLANT CORPORATION IN CONNEC-TION WITH THE OPERATION OF A SCHOOL FOR TRAINING ARMY AIRCRAFT PILOTS

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942: It is

ordered as follows:
Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the Defense Plant Corporation in connection with the operation of a school for training army aircraft pilots:

GILA AND SALT RIVER MERIDIAN

T. 15 S., R. 12 E., sec. 22, E½SE¼.

The area described aggregates 80 acres.

This order shall take precedence over, but shall not rescind or revoke, the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

> HAROLD L. ICKES, Secretary of the Interior.

DECEMBER 23, 1942.

[F. R. Doc. 42-14174; Filed, December 31, 1942; 9:32 a. m.]

¹⁷ F.R. 10261.

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 170]

SUGAR AND RELATED PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND AP-POINTMENT TO INDUSTRY COMMITTEE NO.

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Adolph Lesser from Industry Committee No. 50 for the Sugar and Related Products Industry, and do appoint in his stead Mr. Stanley H. Ruttenberg of Washington, D. C., as representative for the employees on such committee.

Signed at New York, New York, this 30th day of December 1942.

> L. METCALFE WALLING. Administrator.

(F. R. Doc. 42-14175; Filed, December 31, 1942; 9:31 a. m.]

OFFICE OF ALIEN PROPERTY CUS-TODIAN.

[Vesting Order 334]

SAFE DEPOSIT BOXES LEASED BY WILLY HALLER AND ERNA KASPAREK

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) Finding that Willy Haller and Erna Kasparek, whose last known addresses were represented to the undersigned as being in

Germany, are nationals of a designated enemy country (Germany);
(b) Finding that all right, title and interest (including the right of access to the safe deposit boxes hereinafter mentioned) of Willy Haller and Erna Kasparek in and to

their respective contracts with Chase Safe Deposit Company, New York, pursuant to which said Willy Haller and Erna Kasparek leased safe deposit boxes numbered respectively 428 and 367 and located respectively tively 428 and 367 and located respectively at the 45 Madison Avenue branch and 60 East 42nd Street branch of said company, is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

(c) Determining that to the extent that

such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid

designated enemy country (Germany);
(d) Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and (e) Deeming it necessary in the national

hereby vests in the Alien Property Custodian the property described in paragraph (b), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special

account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be pald in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim. The terms "national" and "designated

enemy country" as used herein shall have the meanings prescribed in section

1) of said Executive Order. Executed at Washington, D. C., on November 6, 1942.

[SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 42-14181; Filed, December 31, 1942; 11:28 a. m.]

[Vesting Order 347]

ALL OF THE CAPITAL STOCK OF AMERLUX STEEL PRODUCTS CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) Finding that Comptoir Metallurgique Luxembourgeois "Columeta" (hereinafter referred to as "Columeta"), whose last known address was represented to the undersigned as being Luxembourg, G. D., and Colufian-dres S. A., whose last known address was represented to the undersigned as being Bel-gium, are owned and controlled by the Societte des Aliers Reunies de Burbach Eich Dudelange (hereinafter referred to as "Arbed"), whose last known address was represented to the undersigned as being Luxembourg, G. D.;

(b) Finding that said Arbed is controlled

by or acting or purporting to act directly or indirectly for the benefit or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country, and therefore determining that Arbed is a national of said designated enemy country (Germany):

(c) Determining, therefore, that Columeta and Coluflandres S. A. are nationals of the aforesaid designated enemy country (Ger-

(d) Finding that said Columeta and Colu-(d) Finding that said Columeta and Colu-flandres S. A. are the owners of 245 shares and 5 shares, respectively, of \$100 par value common stock of Ameriux Steel Products Corporation, a New York corporation, New York, New York, which is a business enter-prise within the United States and which 250 shares constitute all the outstanding capital stock of said business enterprise and represent ownership thereof, and therefore determining that such business enterprise is a national of the aforesaid designated enemy country (Germany);

(e) Determining that to the extent that

such nationals are persons not within a

designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Ger-

(f) Having made all determinations and taken all action, after appropriate consulta-tion and certification, required by said Ex-ecutive Order or Act or otherwise; and

(g) Deeming it necessary in the national

hereby vests in the Alien Property Custodian the shares of stock described in paragraph (d), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right

to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on No-

vember 7, 1942.

[SEAL] LEO T. CROWLEY. Alien Property Custodian.

[F. R. Doc. 42-14182; Filed, December 31, 1942; 11:28 a. m.]

> [Vesting Order 370] SILESIAN-AMERICAN CORP.

Re: 41.67% of the preferred stock and 49% of the common stock of Silesian-American Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

50,000 shares of 7% cumulative non-voting preferred stock and 98,000 shares of common stock (which constitute substantial parts, namely, 41.67% and 49%, respectively, of all outstanding shares of preferred and common stock) of Silesian-American Corporation, a Delaware corporation, New York, New York, which is a business enterprise within the United States, owned by Non Ferrum Gesellschaft zur Finanzierung von Unternehmun-gen des Bergbaues und der Industrie der Nichteisenmetalle, Zurich, Switzerland, and held for the benefit of Bergwerksgeselischaft

Georg von Giesche's Erben, a German corporation,

is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such com-

pensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on November 17, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

(F. R. Doc. 42-14183; Filed, December 31, 1942; 11:28 a. m.)

[Vesting Order 426]

M. HENSOLDT & SONS, INC.

Re: All of the capital stock of M. Hensoldt & Sons, Inc., and certain indebtedness owing by it.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All of the capital stock of M. Hensoldt & Sons, Inc., a New York corporation, New York, New York, which is a business enterprise within the United States, consisting

of 300 shares of \$1.00 par value common stock,

is owned by M. Hensoldt & Sons, Inc., a German corporation, Wetzlar, Germany, and therefore is property of, and represents ownership of a business enterprise which is, a national of a designanted enemy country (Germany); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of M. Hensoldt & Sons, Inc. Wetzlar, Germany, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said New York corporation, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in said business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germeny):

(c) That the property described as

All right, title, interest and claim of any name or nature whatsoever of M. Hensoldt & Sons, Canada, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said M. Hensoldt & Sons, Inc., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness.

is an interest in said business enterprise held by M. Hensoldt & Sons, Canada, which is owned or controlled by M. Hensoldt & Sons, Inc. Wetzlar, Germany, and which therefore is a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Germany);

and determining that to the extent that said nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a

notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on December 1, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-14184; Filed, December 31, 1942; 11:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 105 Under MPR 188]

OWENS-ILLINOIS GLASS COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 105 under § 1499.158 of Maximum Price Regulation No. 188— Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

specified Building Materials and Consumers' Goods Other Than Apparel.

On November 4, 1942, the Owens-Illinois Glass Company, Toledo, Ohio, filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for certain "new products" (as defined in paragraph (b) below) and for instructions as to the method to be used in determining maximum prices for such products to be manufactured by them. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Authorization for the Owens-Illinois Glass Company to determine maximum prices for certain new products. (a) The maximum prices which may be charged by the Owens-Illinois Glass Company for new products shall be determined in all respects in accordance with the provisions of § 1499.157 of Maximum Price Regulation No. 188, except that, in the computation of direct material and direct labor costs pursuant to those provisions, the Owens-Illinois Glass Company may employ its method of standard cost accounting rather than using actual costs as required by § 1499.157 of Maximum Price Regulation No. 188: Provided, That the requirements in that section as to using the month of March 1942 as a basic reference period in computation of costs and maximum prices shall be preserved under this order.

(b) The term "new product" as used in this Order No. 105 shall include all glass containers manufactured by the Owens-Illinois Glass Company which

are subject to Maximum Price Regulation No. 188; and

(1) Which are not part of the Owens-Illinois Glass Company's standard line of products; and

(2) Which were not delivered or offered for delivery during March 1942 by the Owens-Illinois Glass Company; and

(3) The prices of which cannot be determined upon the basis of prices which the Owens-Illinois Glass Company had in effect for glass containers during March 1942; and

(4) Which may not be priced under § 1499.155 of Maximum Price Regulation

No. 188.

(c) The authorization granted to the Owens-Illinois Glass Company in (a) above is subject to the conditions that it shall, at the time of sale of any product priced under this Order, notify the purchaser of such product that the Office of Price Administration has by this order authorized its maximum prices as provided in (a) above.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price

Administration.

(e) This Order No. 105 may be revoked or amended by the Office of Price Administration at any time.

(f) This order No. 105 shall become effective December 31, 1942.

(Pub. Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of December 1942. LEON HENDERSON.

Administrator.

[F. R. Doc. 42-14156; Filed, December 30, 1942; 12:16 p. m.]

> [Order 106 Under MPR 188] ARMSTRONG CORK CO.

APPROVAL OF MAXIMUM PRICES

Order No. 106 under § 1499.158 of Maximum Price Regulation No. 188-Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

On October 21, 1942, the Armstrong Cork Company of Lancaster, Pennsylvania, filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for certain "new products" (as defined in paragraph (b) below) and for instructions as to the method to be used in determining maximum prices for such products to be manufactured by them. Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Authorization for the Armstrong Cork Company to determine maximum prices

for certain new products.

(a) The maximum prices which may be charged by the Armstrong Cork Company for new products shall be determined in all respects in accordance with the provisions of § 1499.157 of Maximum Price Regulation No. 188, except that, in the computation of direct material and direct labor costs pursuant to those provisions, the Armstrong Cork Company may employ its method of standard cost accounting rather than using actual costs as required by § 1499.157 of Maximum Price Regulation No. 188: Provided, That the requirements in that section as to using the month of March 1942, as a basic reference period in computation of costs and maximum prices shall be preserved under this order.

(b) The term "new product" as used in this Order No. 106 shall include all glass containers manufactured by the Armstrong Cork Company which are subject to Maximum Price Regulation No. 188; and

(1) Which are not part of the Armstrong Cork Company's standard line of products; and

(2) Which were not delivered offered for delivery during March 1942 by the Armstrong Cork Company; and

(3) The prices of which cannot be determined upon the basis of prices which the Armstrong Cork Company had in effect for glass containers during March 1942; and

(4) Which may not be priced under § 1499.155 of Maximum Price Regulation

No. 188.

(c) The authorization granted to the Armstrong Cork Company in (a) above is subject to the conditions that it shall, at the time of sale of any product priced under this order, notify the purchaser of such product that the Office of Price Administration has by this order authorized its maximum prices as provided in (a) above.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price

Administration.

(e) This Order No. 106 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 106 shall become effective December 31, 1942.

(Pub. Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of December 1942. LEON HENDERSON.

Administrator.

[F. R. Doc. 42-14157; Filed, December 30, 1942; 12:16 p. m.]

[Order 111 Under MPR 188]

THE NUNN COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 111 under § 1499.161 (a) of Maximum Price Regulation No. 188— Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization of a Maximum Price for Crude Sand, Glass Sand, and Fines for

The Nunn Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250 and under § 1499,161

(a) of Maximum Price Regulation No. 188; It is hereby ordered, That:

(a) The Nunn Company, 404 Fay Building, Los Angeles, California, may sell and deliver, f. o. b. its plant, Overton, Nevada, "crude sand," "glass sand," and "fines" at the prices set forth below:

(1) Crude sand at \$2.03 per ton. (2) Glass sand at \$3.42 per ton.

(3) Fines at \$2.22 per ton.

(b) All prayers in the petition not specifically granted herein are denied.

(c) The petitioner shall submit such reports to the Office of Price Administration as it may from time to time require.

(d) This Order No. 111 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 111 shall become effective December 30, 1942.

Issued this 30th day of December, 1942.

LEON HENDERSON. Administrator.

[F. R. Doc. 42-14169; Filed, December 30, 1942; 4:04 p. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 70-639]

GENERAL WATER, GAS AND ELECTRIC CO. AND WALNUT ELECTRIC AND GAS CORP.

ORDER GRANTING APPLICATION AND PER-MITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of December. A. D. 1942.

In the matter of General Water, Gas & Electric Company, W. C. Gilman, as liquidating trustee of Walnut Electric &

Gas Corporation.

General Water, Gas & Electric Com-pany, a registered holding company, and W. C. Gilman, as Liquidating Trustee of Walnut Electric & Gas Corporation, a registered holding company, said Trustee also being a registered holding company have jointly filed an application and declaration pursuant to sections 9 (a). 10 and 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated under said Act, in regard to certain transactions, which may be summarized as follows:

W. C. Gilman as Liquidating Trustee under a certain Liquidating Trust Agreement, dated June 1, 1939 and amended May 1, 1942 presently holds legal title to 5,000 shares of Class A and 15,000 shares of Class B stock of Walnut Electric & Gas Corporation, a registered holding company, the same constituting all of the outstanding stock of said corporation and also constituting the sole assets of said Liquidating Trust. General Water, Gas & Electric Company is the beneficial owner of all of such stock. The Liquidating Trust has no outstanding securities and no indebtedness. The Liquidating Trust Agreement, by the terms thereof, expired on December 1. 1942 and has not been renewed. Gilman as such Liquidating Trustee proposes to

transfer and deliver all of the stock so held by him to General Water, Gas & Electric Company without any consideration other than the satisfaction of the legal right of General Water, Gas & Electric Company to receive such stock upon the termination of such trust agreement. General Water, Gas & Electric Company, in turn, proposes to acquire such stock from said trustee.

Said application and declaration having been filed on December 3, 1942, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application and declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met

plicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application and to permit said declaration to become

effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24 that the said application be, and the same is hereby granted, and the said declaration be, and it is hereby permitted to become effective forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 42-14161; Filed, December 30, 1942; 2:29 p. m.]

[File No. 70-651]

SOUTHWESTERN PUBLIC SERVICE COMPANY NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of December,

A. D., 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Southwestern Public Service Company, a registered holding company, (hereinafter called Southwestern). declaration or application (or both) is filed under section 12 (d) of the Act, and Rule U-44 of the rules and regulations promulgated thereunder as applicable to the transactions proposed. All interested persons are referred to said documents, which are on file in the office of this Commission, for a complete statement of the transactions therein proposed, which are summarized as follows:

Southwestern proposes to sell all of the outstanding capital stock (being all of the securities) of two of its subsidiaries, Arizona Electric Power Company, and Flagstaff Electric Light Company, to an individual, one James C. Tucker. The purchase price for the Arizona Elec-

tric Power Company is the sum of \$425,-000, in cash, and for the Flagstaff Electric Light Company is the sum of \$350,000, cash.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both) shall not become effective or be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the Act and the rules of the Commission thereunder be held on January 14, 1943 at 10:00 A. M., E. W. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration or application (or both), particular attention will be directed to the following matters:

1. Whether the consideration to be paid by the purchaser, James C. Tucker, and to be received by Southwestern for all of the outstanding capital stock of Arizona Electric Power Company and Flagstaff Electric Light Company is unfair or unpressonable.

fair or unreasonable;

2. The identity of the purchaser, his interest in any other public utility, and whether or not his acquisition of the proposed securities of the Arizona Electric Power Company and Flagstaff Electric Light Company will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system, and whether such acquisition will tend towards interlocking relations or concentration of control of public utility companies of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

3. What terms and conditions, if any, are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder;

It is further ordered, That any other

person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before January 9, 1943, his request or application therefor as provided by Rule XVII

of the Rules of Practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice

of the hearing aforesaid by mailing a copy of this order to Southwestern Public Service Company by registered mail; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 42-14163; Filed, December 30, 1942; 2:29 p. m.]

[File Nos. 7-650 to 7-672]

Los Angeles Stock Exchange

ORDER DISPOSING OF APPLICATIONS, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of December, A. D. 1942.

In the matter of applications by the Los Angeles Stock Exchange for permission to extend Unlisted Trading Privileges to Twenty-Three (23) Stocks.

Order disposing of applications for permission to extend unlisted trading

privileges.

The Los Angeles Stock Exchange having made application to the Commission, pursuant to section 12 (f) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to twenty-three securities; and

After appropriate notice a hearing having been held in this matter at the Los Angeles Branch Office of the Com-

mission; and

The Commission having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 12 (f) of the Securities Exchange Act of 1934, that the applications of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to:

American Viscose Corp., \$14 Par Common Stock.

Commonwealth Edison Company, \$25 Par Shares.

Consolidated Aircraft Corp., \$1 Par Common Stock. Libby, McNeill & Libby, \$7 Par Common Stock.

Stock.
Standard Oil Company (Indiana), \$25 Par Capital Stock.

F. W. Woolworth Company, \$10 Par Capital Stock.

be and the same are hereby approved; and

It is further ordered, That decision with respect to the applications of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to:

Boeing Airplane Company, \$5 Par Common Stock.

Borden Company, \$15 Par Common Stock. Crown Zellerbach Corporation, \$5 Par Common Stock.

Deere and Company, Common Stock, No Par Value.

Electric Auto-Lite Company, \$5 Par Common Stock.

Great Northern Railway Company, \$6 Non-Cumulative Preferred Stock, No Par Value. Interlake Iron Corporation, Common Stock, No Par Value.

No Par Value.

Newport News Shipbuilding and Dry Dock
Company, \$1 Par Common Stock.

Phelps Dodge Corporation, \$25 Par Capital Stock.

Phillips Petroleum Company, Capital Stock, No Par Value.

Pullman Incorporated, Capital Stock, No Par

Southern Railway Company, \$100 Par 5% Non-Cumulative Preferred Stock.

Texas Gulf Sulphur Company, Common Stock, No Par Value.

Union Pacific Railroad Company, \$100 Par Common Stock. Western Union Telegraph Company, \$100 Par

Common Stock.
White Motor Company, \$1 Par Common

Stock. Wilson and Company, Inc., Common Stock,

Wilson and Company, Inc., Common Stock, No Par Value.

be reserved with leave to the applicant exchange to notify the Commission, within a period of fifteen days from the date of this order, of its desire to introduce additional evidence with respect to these applications. If no such notification is received within this time, an order will then be issued denying said applications.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F.R. Doc. 42-14164; Filed, December 30, 1942; 2:31 p. m.]

[File No. 70-648]

GENERAL GAS & ELECTRIC CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of December, A. D., 1942. General Gas & Electric Corporation, a

General Gas & Electric Corporation, a registered holding company, and a subsidiary of Trustees of Associated Gas and Electric Corporation in reorganization pursuant to Chapter X of the Bankruptcy Act, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-46 promulgated thereunder, concerning the following proposed transaction:

General Gas & Electric Corporation has outstanding 4% interest bearing scrip in the aggregate principal amount of \$999,360.79, maturing December 30, 1942. This scrip was issued in December 1937 in lieu of a cash dividend on the Cumulative Preferred Stocks of General Gas & Electric Corporation. The accrued interest at date of maturity totals \$199,-872,15.

Of this scrip \$40,035.97 principal amount, to which \$8,007.19 of accrued interest is applicable, is publicly held. General Gas & Electric Corporation is proposing to discharge at maturity these public holdings. The balance of the scrip is held by the Trustees of Associated Gas and Electric Corporation. These Trustees have agreed not to present for payment at this time any scrip held by them but rather that they will await further order of this Commission before making presentation for any payment either on principal or interest. It appears that this scrip may have originated from capital or uncarned surplus.

Said declaration having been filed on December 12, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission seeing no reason for making adverse findings herein, and deeming it appropriate in the public interest and the interest of investors and consumers to permit said declaration to become effective;

It is ordered, Pursuant to Rule U-23, and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 42-14165, Filed, December 30, 1942; 2:31 p. m.]

[File Nos. 54-64, 59-60]

Indiana Hydro-Electric Power Co. and Midland United Co.

NOTICE OF FILING, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23rd day of December 1942.

In the matter of Indiana Hydro-Electric Power Company and Hugh M. Morris, trustee of the estate of Midland United Company.

Notice of filing and order for hearing on plan filed and notice of and order instituting proceedings and for hearing and order consolidating hearings.

T

Notice is hereby given that Indiana Hydro-Electric Power Company, a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, has filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan of recapitalization of said Indiana Hydro-Electric Power Company (hereinafter sometimes called Hydro). All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

(1) The authorized capital stock of Hydro, now consisting of 21,500 shares of Preferred Stock of the par value of \$100 each, and 35,000 shares of Common Stock of the par value of \$100 each (hereinafter called the "Old Common"), will be changed to 250,000 shares of new common stock of the par value of \$10 each (hereinafter called the "New Common").

(2) The 107 shares of Preferred Stock now in the treasury of Hydro will be cancelled, and the 20,898 shares of Preferred Stock now outstanding will be reclassified into 229,878 shares of New Common.

(3) The escrow agreement of May 6, 1922, will be terminated and the 14,000 shares of Old Common now held in escrow under said agreement will be returned to Hydro and cancelled.

(4) The remaining 21,000 shares of Old Common now outstanding will be reclassified into 11,025 shares of New

Common.

(5) The capital of Hydro will be reduced by \$3,180,770, and the amount thereof credited to Capital Surplus.

(6) Hydro will distribute to the holders of the Preferred Stock of Hydro \$14,208 in cash and 11 shares of New Common for each share of Preferred Stock now outstanding.

(7) Hydro will distribute to the holders of the Old Common .525 shares of New Common for each share of Old Common now outstanding, exclusive of the Common Stock now held in escrew

the Common Stock now held in escrow.

(8) The holders of the Preferred Stock and Old Common will have only the right to receive the cash and New Common distributable to them under the Plan, and such other rights as are incident to the ownership of such New Common, and all other rights of such stockholders against or with respect to Hydro will cease and become void.

I

The file and records of the Commission contain data establishing, or tending to establish, the following:

(1) Midland United Company, a public utility holding company, is a Delaware Corporation, which is and has been since June 9, 1934, in reorganization under section 77B of the Bankruptcy Act, as amended, under the jurisdiction of the United States District Court for the District of Delaware. Hugh M. Morris is Trustee of the Estate of Midland United Company and, as such, is a registered holding company under the Public Utility Holding Company Act of 1935.

(2) Indiana Hydro-Electric Power Company was incorporated on November 21, 1921, under the laws of the State of Indiana, for the purpose of developing hydro-electric power on the Tippe-

canoe River in Indiana.

The properties of the Company comprise two hydro-electric plants having combined rated generating capacity of 17,720 kilowatts, located near Monticello, Indiana, and approximately 80 miles of transmission lines, all in the State of Indiana.

The properties of Hydro are operated by Northern Indiana Public Service Company, an associate company, under a lease dated January 1, 1931, terminating on or before May 1, 1958, as provided in the lease and supplemental agreement. A condensed balance sheet, per books of Hydro, as of October 31, 1942, follows:

Assets and other debits

Utility Plant Other Assets Unamortized Debt Discount	\$8,	133, 622,		
and Expense		296,	856	99
Capital Stock Discount and Expense		153,	559	39
	40	200	420	00

Liabilities and other co	redits
Miscellaneous Liabilities Deferred Credits Reserve for Depreciation	\$129, 283, 80 63, 333, 33 276, 309, 37
First Mortgage 5% Bonds due 1958 (owned by public) 7% Cumulative Preferred	2, 609, 000.00
Stock, par value \$100 per share (17,026 shares owned by public)	2, 089, 800.00
per share, 35,000 shares out- standing (consisting of 14,000 shares deposited in escrow for benefit of United, and 21,000 shares owned by	
United)	3, 500, 000. 00 538, 743. 56

\$9, 206, 470, 06

(3) As of October 31, 1942, utility plant, per books, of Hydro amounted to \$8,133,549.05. As of the same date the reserve for depreciation amounted to \$276,309.37, or approximately 3.4 per cent of utility plant

(4) Included in utility plant account of the company are certain items which have been classified by the Division of Original Cost of the Federal Power Commission as plant adjustments (FPC Account No. 107). These total \$3,673,640.38.1

(5) Cumulative preferred stock dividends not declared or provided for at October 31, 1942, amounted to \$505,905.75,

or \$24.208 per share.

(6) If plant adjustments, in the amount of \$3,263,065.02 (FPC Account No. 107), were eliminated from the balance sheet by a charge against surplus, and if cumulative preferred stock dividends in arrears were provided for in the same manner, the surplus of the company as at October 31, 1942, in the amount of \$538,743.56, would become a surplus deficit of \$3,230,227.00.

(7) It is probable that the finally adjusted deficit in surplus would exceed this figure since the depreciation reserve appears to be inadequate.

(8) The capital structure, including surplus, of Hydro, per books as of October 31, 1942, and as adjusted to give effect to (a) cumulative preferred stock dividends in arrears, and (b) the elimination of plant adjustments in the amount of \$3,263,065.02 (FPC Account No. 107) is shown below:

	Per books Oct. 31, 1942	Percent of capital- ization	Amounts as adjusted	Percent of capital- ization
Long term debt:	\$2,609,000.00	29, 86	\$2, 609, 600	47.66
Cumulative preferred stocks, par value \$100: 7%—20,898 shares (17,028 shares owned by public) Diyldends in arrears (\$24.208 per share)	2, 089, 800. 00	23. 92	2, 089, 800 505, 906	38, 17 9, 24
Total preferred stock and arrears	2, 089, 800. 00	23. 92	2, 595, 706	47.41
35,000 shares, par value \$100 per share (14,000 shares deposited in escrow for benefit of present common stockholders) Surplus.	3, 500, 000, 00 538, 743, 56	40.06 6,16	3, 500, 000 (3, 230, 227)	63, 93 (59, 00
Total common and surplus	4, 038, 743, 56	46, 22	269, 773	4, 93
Total capital structure	8, 737, 543. 56	100.00	5, 474, 479	100.00

(9) As of October 31, 1942, per books, the ratio of long term debt to net utility plant adjusted to reflect the elimination of plant adjustments (FPC Account No. 107), as provided in the plan, amounted to 56.8 percent. As of the same date long term debt and preferred stock (including cumulative dividend arrears) amounted to 102.3 percent of total net utility plant, as adjusted, plus other net

(10) Sole voting power is vested in the

(11) At October 31, 1942, all of the outstanding common stock of Hydro was owned by, or deposited in escrow for, Midland United Company.

(12) The following tabulation sets forth Rental Income, Gross Income and Deductions therefrom, per books, of Hydro for the last five calendar years, and for the 12 months ended October 31, 1942, showing full Cumulative preferred stock dividend requirements for the period:

Common Stock.	1937	1938	1939	1940	1941	Twelve Months Ended Oct. 31. 1942
Rental income. Expenses and taxes.	\$389, 000 73, 007	\$380, 000 75, 956	\$380,000 61,488	\$380, 000 75, 309	\$380,000 86,260	\$380, 000 98, 853
Gross income	306, 993	304, 044	318, 512	304, 691	293, 731	281, 147
Interest on debtOther deductions	189, 405 25, 978	137, 063 27, 061	135, 143 26, 081	133, 905 21, 244	133, 714 24, 575	132, 221 29, 218
Total fixed charges	165, 383	164, 124	161, 224	155, 149	158, 289	161,439
Net income	141, 610 146, 286	139, 920 146, 286	157, 288 146, 286	149, 542 146, 286	135, 442 146, 286	119, 708 146, 286
Balance for common	(4, 676)	(6, 366)	11, 002	3, 256	(10, 844)	(26, 578)
Times earned ratios: Interest on debt.	2, 20	2, 22 1, 85	2, 36 1, 98	2. 28 1. 96	2, 20 1, 86	2. 13 1. 74
Fixed charges and preferred dividend requirements	0.98	0.98	1.04	1.01	0, 96	0, 91

TII

It appearing to the Commission, in the light of the allegations stated in Part II hereof, that it is appropriate and in the public interest, and in the interest of investors and consumers, to institute proceedings against Hugh M. Morris, Trustee of the Estate of Midland United Company and Hydro under sections 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, to determine whether certain orders should be entered pursuant to the provisions of said sections; and

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan of recapitalization filed by Hydro pursuant to section 11 (e) of the Act; and

It further appearing to the Commission that the said proceedings involve common questions of law and fact and should be consolidated and heard together;

It is ordered, That proceedings be instituted pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, and that Hugh M. Morris, as Trustee of the Estate of Midland United Company, and Indiana Hydro-Electric Power Company, are hereby made Respondents in these proceedings, and said Respondents shall file with the Secretary of the Commission, on or before the 29th day of January 1943 their answers admitting, denying, or otherwise explaining their positions with respect to the allegations heretofore made in paragraphs 1 to 12 of Part II of this order. Such answers may also include a statement by Respondents of their views as to what action, if any, should be taken to bring about a fair and equitable distribution of voting power among the security holders of Indiana Hydro-Electric Power Company; to restate the plant account, depreciation reserve, capital accounts, surplus and other accounts, so as to segregate, dispose of, and eliminate write-ups and intangibles in the plant, investment and other accounts, set up adequate reserves for retirements and depreciation of plant and property, and make other adjustments in conformity with the stand-

On approximately February 28, 1939, Hydro filed with the Public Service Commission of Indiana and the Federal Power Commission an original cost report in which it proposed to reclassify to Account 107 (write-ups) an amount of \$2,625,000. On June 4, 1940, the Division of Original Cost of the Federal Power Commission transmitted to Hydro a report which indicated that an amount of \$3,673,640.38 should be reclassified to Account 107. Hydro did not agree with such report and on September 28, 1940, filed with both Commissions a written protest in which objection was made to \$1,070,309 of the amount established in Account 107 by the report of the Division of Original Cost of the Federal Power Commission. Various other procedural steps have been taken, but no formal orders have as yet been issued by either Commission. The company states that: "The substance of the plan presented herein has been discussed informally with representatives of both of said Commissions, and contemplates establishment of \$3,263,-065.02 in Account 107 to be written off against capital surplus created by a reduction of the present capitalization.

ards of the Public Utility Holding Company Act of 1935, with respect to In-diana Hydro-Electric Power Company; and to take such other action as may be necessary or appropriate under the provisions of sections 11 (b) (2), 15 (f) and 20 (a) of said Act with respect to said Respondents.

It is further ordered. That the said proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of the Act, and said proceedings pursuant to Section 11 (e) of the said Act be and hereby are

consolidated:

It is further ordered, That a hearing on such consolidated matters be held on the 16th day of February 1943 at 10 o'clock, a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such consolidated matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act, and to a trial examiner under the Commission's

Rules of Practice

It is further ordered, That without limiting the scope of issues presented by said consolidated matters otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed plan is feasible:

(2) Whether the proposed plan is necessary to effectuate the provisions of subsection (b) of section 11 of the Act:

(3) Whether the proposed plan is fair and equitable to the persons affected

(4) Whether the allegations contained in Part II hereof are true and correct;

(5) Whether voting power is unfairly or inequitably distributed among security holders of Hydro;

(6) What action, if any, is necessary and should be required to be taken by Hydro for the purpose of effecting an equitable distribution of voting power

among its security holders;

(7) What action, if any, is necessary and should be required to be taken by Hydro to restate its plant account, depreciation reserve, capital accounts, surplus, and other accounts, so as to segregate, dispose of, and eliminate write-ups, intangibles, or other inflationary items in the plant, investment or other accounts, set up adequate reserves for depreciation of plant and property, and make other adjustments in conformity with the standards of the Public Utility Holding Company Act of 1935;

(8) What other or further action, if any, should be required to be taken by Hydro to meet the requirements of sections 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act

It is further ordered, That jurisdiction be, and is hereby, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any

of the issues or questions which may arise in these proceedings, and to take such other action as may appear necessary to the orderly and economical dis-

position of the issues involved.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order, by registered mail, to Hugh M. Morris, Trustee of Midland United Company, and Indiana Hydro-Electric Power Company, not less than thirty days prior to the date hereinbefore fixed within which Respondents may file their answers; and that notice of the entry of this order and of said hearing is hereby given to all security holders of Midland United Company, and Indiana Hydro-Electric Power Company, to all States, municipalities and political subdivisions of States within which are located any of the utility assets of Indiana Hydro-Electric Power Company. to all State commissions. State securities commissions, and all agencies, authorities, administrative or judicial bodies, or instrumentalities of the United States of America, and one or more States, municipalities, or other political subdivisions having jurisdiction over Indiana Hydro-Electric Power Company, or over any of the businesses, affairs or operations of said companies, and to all other persons, such notice to be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER not later than thirty days prior to the date hereinbefore fixed as the date of hearing.

It is further ordered, That any person desiring to be heard in connection with this proceeding shall file with the Secretary of the Commission, on or before the 8th day of February 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS. Secretary.

[F. R. Doc. 42-14162; Filed, December 30, 1942; 2:31 p. m.]

WAR PRODUCTION BOARD.

Director General for Operations.

BOULDER MINING CO., ET AL.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P. D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507. 77th Cong.)

Issued December 30, 1942.

ERNEST KANZLER. Director General for Operations.

SCHEDULE A

Name and address of the builder	Project affected	Date of issuance of stop con- struction order
Boulder Mining Co., Hillside, Ariz U. S. Department of Interior, Indian Affairs, Washington, D. C.	Hillside, Ariz_ Klamath, Oreg. Sprague River Road	12/24/42 12/24/42
U. S. Department of Interior, National Park Service, Washington, D. C.	FWA Docket D. C. 49-131	12/24/42
U. S. Department of Interior, National Park Service, Washington, D. C.	FWA Docket D. C. 49-138	12/24/42
Michigan State Highway Department, Lansing, Mich Michigan State Highway Department, Lansing, Mich Michigan State Highway Department, Lansing, Mich Michigan State Highway Department, Lansing, Mich	Mich. FAP 390 C (1) Mich. SN-FAGH II4-D (2). Mich. SN-FAGH 45-A (2) South Haven, Mich. (SN-FACH 32-O	12/22/42 12/22/24 12/22/42 12/22/42
Mississippi State Highway Commission, Jackson, Miss Montana State Highway Commission, Helena, Mont	Woodville, Miss. FAP 41 (2). Avon and Helmville, Mich. FAS 343 D (2).	12/22/42 12/22/42
Montana State Highway Commission, Helena, Mont	Bonner and Ovando, Mont. FAP 237-	12/22/42
Montana State Highway Commission, Helena, Mont- Montana State Highway Commission, Helena, Mont- Nevada Department of Highways, Carson City, Nev. Oklahoma State Highway Commission, Oklahoma City, Okla.	Hardin, Mont. FAP 46-B (1) Melville, Mont. FAP 45-B (1) Elko, Nev. FAGM 15 (1) (off) Okla. SN-FAGH 503-A (1)	12/22/42 12/22/42 12/22/42 12/22/42
Oklahoma City Highway Commission, Oklahoma City, Okla.	Pensacola, Okla. FAS 2-B (1)	12/22/42
South Dakots State Highway Commission, Pierre, S. Dak. Texas State Highway Department, Austin, Tex. Virginia Department of Highways, Richmond, Va Washington Department of Highways, Olympia, Wash. Washington Department of Highways, Olympia, Wash. West Virginia Road Commission, Charleston, W. Va. West Virginia Road Commission, Charleston, W. Va. West Virginia State Road Commission, Charleston, W. Va.	Redfield, S. Dak, FAP 95-E (1) Texas SN-FAP 378-AB (3), C (2), D (2), Texas SN-FAP 24-A (3), B (2), C (2) Texas SN-FAP 824-A (3), B (2), C (2) Texas SN-FAF 8174-A (1), B (1) Texas SN-FAF 841-C (1) Texas SN-A-FAP 444-B (2) Va. SN-FAP 333-D (5) Wash. FACS 263-C (2) Wash. FACS 263-C (2) Wash. FACS 263-C (2) Wash. FACS 263-F (3) Cedar Grove, W. Va. SN-FAP 263-F (3) Cedar Grove, W. Va. SN-FAP 249-D (1). Hurricane, W. Va. SN-FAP 249-D (1). Hurricane, W. Va. SN-FAP 249-C (1) Hurricane, W. Va. SN-FAP 249-A (2) Wheeling, W. Va. SN-FAP 249-A (2) Wheeling, W. Va. SN-FAP 203-N (1) Wheeling, W. Va. SN-FAP 203-N (1)	12'22 42 12 22 42

1442 14/42 14/42 344 24/42 34/42 34/42

Montana FAP 50 C (1) US, FAP (1) VZ, Montana FAP 50C (1) UZ, Montana FAP 50C (1) UI, FAP 50C FAP 10C (2), FAP 10A (2), UI, FAGH 10B (2) US,

Kansas 10-99-SN-FAGH 392 F (3)

California W-FAGS 152-A (2)...

Virginia FA1' 334 E (1).....

Sacramento, Call.

Virginia Department of Highways, Richmond, Va.

State Highway Commission, Kans. State Highway Commission, Mont. State Highway Commission,

Kansas Sta Topeka, F Montana Si Helena, N

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100E 118E 120E 200E 230E MODE

Illinois Division of Highways, Spring-field, III. California Department of Public Works, Sacramento, Calif

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37E

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Hilnois SN-FAGH 181 B (2).

Project affected

Name and address of builder

Serial No.

Preference rating order

B (I), South Dakots FAGM 94-F (I) FAP 238-A (2), FAP 441-B (I). Alabama FAS 95-A (I) FAS 96-A

outh Dakota State Highway Commission, Pierre, S. Dak.

Department of Highways, Minn.

Minnesota Montana !

P-19-6.

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P-19-e ...

Arkansas FAGM 86-A (1) (off) ...

Georgia FAP 2650-B (I), FAP 2722

Terms FAS 44-B (I)

Arkansas State Little Rock, Ark.
Taxas State Highway Department,

SITE BRRE

P-19-6.

P-19-e.

P-19-6.

nery, Ala. State Highway Department,

Florida SN-FA 122-A (1) ...

Georgia FAS 103-B (I)_

Georgia State Highway Board, Atlanta, Dinois Division of Highways, Spring-field, III. Colorado State Highway Department, Deuver, Colo.

Florida State Road Department, Talla-bassee, Fla.

381E 388E

P-10-

P-19-6.

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P-19-6 ...

P-19-6.

Austin, Tex. Georgia State Highway Board, Atlanta, Ga.

III. FAP 609 A (2)-15...

sota FAP 910 A (I), FAI

14/42

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14/42

ILLINOIS DIVISION OF HIGHWAYS, ET AL.

NOTICE TO BUILDERS AND SUPPLIERS OF OF REVOCATION ORDERS TIALLY REVOKING AND STOPPING STRUCTION OF CERTAIN PROJECTS ISSUANCE

SCHEDULE A of the projects affected. For the effect of each such order upon preference ratule A below partially revoking preference and partially stopping the construction The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedrating orders issued in connection with.

livery of materials therefor, the builder and suppliers affected shall refer to the ings, construction of the project, and despecific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued December 30, 1942.

Director General for Operations. ERNEST KANZLER,

KANSAS STATE HIGHWAY COMMISSION,

ANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN NOTICE TO BUILDERS AND SUPPLIERS OF ISSU-PROJECTS

and stopping the construction of, the certain revocation orders listed in Schedule A below, revoking preference projects affected. For the effect of each The Director General for Operations of the War Production Board has issued rating orders issued in connection with, such order upon preference ratings, con-

pliers affected shall refer to the specific order issued to the builder. struction of the project and delivery of materials therefor, the builder and sup-

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 76th Cong., as amended by Pub. Laws 89 7 F.R. 2719; sec. 2 (a), Pub. Law 671, and 507, 77th Cong.)

Issued December 30, 1942.

Director General for Operations. ERNEST KANZLER.

SCHEDULEA

١	Date issuan of rev catio	द्वा व्यव व्यव व्यव व्यव व्यव व्यव व्यव व
	Project affected	Mississippi FAGH 343 B (1). Oklahoma FAGH 393 B (1). Oklahoma FAF 304 B (1). Oklahoma FAF 304 B (1). Kaisas 109-61-FA 233 A (5). Kaisas 109-61-FA 233 A (6). Minnesota FAS 84-A (1). Wisconsin FAGH 301 I (1) (20). Wirginia FH 151 A (1). Arkansas FAS 35 D (2). Oklahoma FAGH 455 C (1). Arkansas FAS 35 D (2). Oklahoma FAGH 455 C (1). Arkansas FAS 36 D (2). Oklahoma FAGH 455 C (1). Alameda Co., Calli (1) PW 4-240. Fichasto An. (WPW 1-173) Fichasto San Diego Co., Calli (WPW 4-20). Fichasto, San Diego Co., Calli (WPW 4-20). Senis, San Diego Co., Calli (WPW 4-20). Esst Hartford, Conn. (WPW 6-165). Garrey, Calli Calli
	Name and address of builder	Kansas State Hithway Commission, Topoko, Kans. Mississippi State Highway Department, Oklahoma Okry, Okin. Oklahoma Okry, Okin. Oklahoma Okry, Okin. Topoka, Kans. State Highway Department, Oklahoma Okry, Okin. Topoka, Kans. Topoka, Kans. Topoka, Kans. Highway Commission, Topoka, Kans. Highway Commission, Missie Department of Highways, St. Paul, Min. Wisconsin State Highway Commission, Nisconsin State Highway Commission, Virginia State Highway Department, Oklahoma City, Okin. F. W. A., Washington, D. C. F. W. A., Washington, D. C. Garvey, Calif. F. W. A., Washington, D. C. Garvey, Calif.
The second	Serial No.	1007E 465E 462E 463E 663E 563E 563E 563E 563E 563E 563E 5
1	Preference rating order	P-19-6.
Doto nf	Issuance of revo- cation order	1224/42 1224/42 1224/42 1224/42 1224/42 1224/42 1224/42 1224/43 1224/43 1224/43 1224/43
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[F. R. Doc. 42-14131; Filed, December 30, 1942; 10:40 a. m.]

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[F. R. Doc. 42-14130; Filed, December 30, 1942; 10:40 a. m.]

Colorado FAP 211 (2) Const. Div. and No. 2. FAP 282-D (3) Const

and No. 2, FAP.